

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BOSTON PARENT COALITION FOR
ACADEMIC EXCELLENCE CORP.,

Plaintiff,

v.

THE SCHOOL COMMITTEE OF THE CITY
OF BOSTON, ALEXANDRA
OLIVER-DAVILA, MICHAEL O'NEILL,
HARDIN COLEMAN, LORNA RIVERA, JERI
ROBINSON, QUOC TRAN, ERNANI
DeARAUJO, and BRENDA CASSELLIUS,

Defendants,

Civil Action No. 1:21-cv-10330-WGY

and

COUNSEL FOR THE BOSTON BRANCH OF
THE NAACP, GREATER BOSTON LATINO
NETWORK, ASIAN PACIFIC ISLANDER
CIVIC ACTION NETWORK, ASIAN
AMERICAN RESOURCE WORKSHOP,
MAIRENY PIMENTEL, and H.D.,

Intervenors.

AFFIDAVIT OF CATHERINE LIZOTTE

I, Catherine Lizotte, do hereby depose and state as follows:

1. I am an attorney and member in good standing of the Massachusetts bar.
2. I currently serve as the Legal Advisor to Boston Public Schools ("BPS"). In that role, I oversee the Office of Legal Advisor, which is a part of the City of Boston Law Department. I report to the First Assistant Corporation Counsel and Corporation Counsel of the City of Boston.
3. On October 22, 2020, BPS received the following public records request from James

Vaznis at the Boston Globe:

Hi all,

Under the state's public records law and the state's open meeting law, I am seeking copies of all cellular telephone text messages and emails related to BPS issues that were sent and received by each Boston School Committee member during their meeting that began on Oct. 21 and that ended on Oct. 22. This request applies to all members who sat on the committee for the Oct. 21 meeting, including then-Chair Michael Loconto.

Thank you for your help with this.

Best,

Jamie

Attachment A (Email Request October 22, 2020).

4. After receiving this request, I sought to determine whether any records existed that were responsive to this request. As school committee members do not possess publicly-issued devices, they provided potentially responsive records from their personal devices to me. I reviewed and analyzed whether any of the texts from the personal devices of school committee members were responsive to the request.

5. In reviewing and analyzing the text messages, I was mindful of the following:

- a. A public record is a record “made or received by” a public employee acting in his or her capacity as a public employee. M.G. L. c. 4., § 7 (26).
- b. Not every communication sent by a school committee member on a private device is “made or received” in his or her official capacity or to matters under the committee’s purview. See Guide for Members of Public Boards and Commissions, Massachusetts Office of the Inspector General at 11 (2017), available at <https://www.mass.gov/doc/guide-for-members-of-public-boards-and-commissions/download>. Attached for convenience at Attachment B.
- c. A case-by-case determination must be made about each communication, or

portion of a communication, each of which may contain various opinions or observations, to determine whether it was made in one's public or private capacity.

6. In consultation with the then Corporation Counsel Eugene O'Flaherty, First Assistant Corporation Counsel for Government Services Henry C. Luthin, and the Director of Public Records Shawn A. Williams, a final determination was made concerning what records were responsive to the Boston Globe's request and the form of their disclosure. Due to difficulty in reading some of the screen shot images, we decided to provide a type written version of the text messages. A cover letter and the transcribed records were sent to the Boston Globe on November 5, 2020. See Attachment C (November 5, 2020 Response to Boston Globe). Specifically, with respect to text messages, the response noted the following:

With respect to text messages, it is important to note that none of the members possess a mobile phone that is owned by BPS or the City of Boston. Each member was contacted and asked to provide text message records from the respective personal devices that are responsive to your request. While no portions of texts were redacted based on statutory exemptions to the public records law, BPS did omit portions deemed not "related to BPS issues."

Darragh Murphy Requests for Public Records

7. On November 19, 2020, Darragh Murphy made a public records request for:

[c]opies of all data sets, spreadsheets, formulas, algorithms, calculations, instructions, rubrics, and guidelines used by the Superintendent's Exam School Working Group to identify the number of school aged children in each Boston ZIP code, the median income of each Boston ZIP code, and the allocation of exam school seats per Boston ZIP code, including copies of all simulations run by the Exam School Working Group, the Superintendent's Office, the Boston Public School department, and the Boston School Committee, and all electronic communication to and from all members of the Exam School Working Group, the Superintendent, the Boston School Committee, the Mayor's Office, the Boston City Council, and Boston Public Schools offices, regarding the work of the Exam School Working group, its data and findings, and the simulations.

See Attachment D (Darragh Murphy November 19, 2020 Request (#R001025-111920)).

8. On November 19, 2020, Darragh Murphy made a public records request for:

[c]opies of all formulas, algorithms, calculations, instructions, rubrics, and guidelines used by the Boston Public Schools to convert, analyze, and standardize Grade Point Averages (GPA's) for all 6th grade applicants to Boston Latin Academy, the O'Bryant School, and Boston Latin School.

See Attachment E (Darragh Murphy November 19, 2020 Request (#R001024-111920)).

9. On November 19, 2020, Darragh Murphy made a public records request for:

[c]opies of all electronic communications, including emails, text messages, voicemails, social media messages, tweets, etc, to and from Superintendent Cassellius, her staff and/or assistants, and all members of the Boston School Committee, and all members of the Exam School Working Group regarding the Exam School Working Group, including electronic attachments to all electronic communications.

See Attachment F (Darragh Murphy November 19, 2020 Request (#R001023-111920)).

10. On November 19, 2020, Darragh Murphy made a public records request for:

ISEE exam scores and Grade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students who did NOT receive invitations for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with the name of the exam school to which each applicant was NOT invited to attend, the sending school name, and the ZIP code of each applicant.

See Attachment G (Darragh Murphy November 19, 2020 Request (#R001021-111920)).

11. On November 19, 2020, Darragh Murphy made a public records request for:

ISEE exam scores and Grade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students admitted for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with the name of the exam school to which each applicant was invited to attend, the sending school name, and the ZIP code of each applicant.

See Attachment H (Darragh Murphy November 19, 2020 Request (#R001020-111920)).

12. On November 19, 2020, Darragh Murphy made a public records request for:

"[g]rade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students admitted for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with sending school name and ZIP code of each applicant."

See Attachment I (Darragh Murphy November 19, 2020 Request (#R001019-111920)).

13. On January 13, 2021, BPS responded to Darragh Murphy's November 19, 2020 request. See Attachment J (Cover letter but not documents provided are in Attachment J). With regard to the request for electronic communications, BPS provided 213 emails and other related documents, but no text messages.

14. On February 12, 2021, Darragh Murphy made a public records request for:

- a. "list of students who are in the applicant pool . . . for the school year 2021-2022" and
- b. a "list of students who applied for inclusion in the applicant pool . . . for the school year 2021-2022."

See Attachment K (Darragh Murphy February 12, 2021 Request (#R000275-021221)).

15. On February 23, 2021, Darragh Murphy made a public records request for the following:

-Copies of ALL electronic text messages, instant messages, and any other form of

electronic communication sent and/or received, including any and all "group" messages sent and/or received by more than one of the following listed individuals, during the School Committee meeting scheduled for October 21, 2020, from the time the meeting started on 10/21/2020 until it was officially adjourned on Thursday, October 22, 2020, between and among each and all of the following: Superintendent Brenda Cassellius SC Chair Michael Loconto SC Members: Lorna Rivera Jeri Robinson Michael O'Neil Alexandra Oliver-Davila Hardin LK Coleman Quoc Tran.

-List of students who currently comprise the applicant pool for incoming school year 2021/2022 for the three exam schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School), de-identified and sorted by GPA.

-All of the Grade Point Averages sorted by Zip Code of the students, de-identified, who currently comprise the applicant pool for incoming school year 2021/2022 for the three exam schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School). Please provide the list by zip code. For example:

Zip Code 02122: List all the GPA's of the de-identified students currently comprising the applicant pool who reside in Zip Code 02122.

Zip Code 02126: List all the GPA's of the de-identified students currently comprising the applicant pool who reside in Zip Code 02126.

And so on until every Zip Code in the City of Boston is included in the response, including Zip Codes for which there are no applicants in the pool and Zip Codes in which there are fewer than 10.

-Written transcript of the entire School Comm meeting held on October 21, 2020 which adjourned on Thursday, October 22, 2020.

-Written transcript of the entire School Comm meeting held on October 8, 2020. [October 2020 School Committee Text Messages].

See Attachment L (Darragh Murphy February 23, 2021 Public Records Request (#R000337-022321)).

16. On March 9, 2021, BPS responded to Darragh Murphy's February 23, 2021 request. See Attachment M (Cover letter response on #R000337-02232 but not documents provided are in Attachment M). With regard to the request for text messages, BPS produced the same document containing the transcribed messages that it had previously produced on November 5, 2020 to the Boston Globe because the obligation to produce did not include those messages that were deemed to be private as opposed to the member's public function. See Attachment N (Transcribed text messages). Hence, the wording of Darragh Murphy's February 23, 2021 request seeking "ALL" text messages did not alter the determination of whether the text was a public record. However, the cover letter accompanying the Globe records was inadvertently not included in the March 9, 2021 response.

17. On March 22, 2021, BPS responded to Darragh Murphy's February 12, 2021 request. See Attachment O (Response to Darragh Murphy Request (#R000275-021221)).

18. Darragh Murphy did not indicate in any of her public records requests that she was associated with BPCAE.

Boston Parent Coalition for Academic Excellence (“BPCAE”) Public Record Requests

19. On November 20, 2020, the Boston Parent Coalition for Academic Excellence (“BPCAE”) made a public records request containing fifteen (15) separate requests for information or data sets regarding the October 21, 2020 exam school admissions presentation to the Boston School Committee. See Attachment P (BPCAE November 20, 2020 Request ((#R001041-112320))). On January 13, 2021, BPS responded to BPCAE. See Attachment Q (Response to BPCAE Request).

20. On February 12, 2021, BPCAE made a public records request for:

the “total number of applicants sorted by zip code for the current Fall 2021 Boston Exam Schools Admissions cycle.”

See Attachment R. (BPCAE February 12, 2021 Public Record Request (#R000279-021221)).

On March 22, 2021, BPS responded to BPCAE’s February 12, 2021 request. See Attachment S (March 22, 2021 Response to BPCAE).

21. On June 23, 2021, the BPCAE submitted an additional request See Attachment T (BPCAE June 23, 2021 Public Record Request (#R001178-062321). A response is pending.

Conclusion

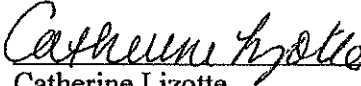
22. On June 18, 2021, Shawn A. Williams, Boston’s Director of Public Records, sent all who requested text messages, including the Boston Globe and Darragh Murphy copies of the screen shots of all text messages, the transcription and the emails sent to Ms. Murphy. The BPCAE did not receive this response as it had never requested text messages.

23. BPCAE did not indicate in any of its public records requests that Darragh Murphy was one of its members or that she was in any way associated with it.

24. I was not aware that Darragh Murphy was associated with the plaintiff in this action until my co-counsel for the defendants forwarded me an email sent to her by counsel for the

plaintiff on June 16, 2021, identifying the public records request to which BPS responded on March 9, 2021, as “our client’s FOIA.” See Attachment U. (June 16, 2021 Email from Counsel for Plaintiff with Attachments).

Signed under the pains and penalties of perjury this 6th day of July, 2021.


Catherine Lizotte

e

ATTACHMENT A

7/6/2021

Google Vault - Public records request

Public records request

email: "james.vaznis@globe.com James Vaznis" Thursday, October 22, 2020 at 9:08:09 PM Eastern Daylight Time
To: email: "jpalumbo@bostonpublicschools.org Jonathan Palumbo", email: "xandrews@bostonpublicschools.org Xavier Andrews"

Hi all,

Under the state's public records law and the state's open meeting law, I am seeking copies of all cellular telephone text messages and emails related to BPS issues that were sent and received by each Boston School Committee member during their meeting that began on Oct. 21 and that ended on Oct. 22. This request applies to all members who sat on the committee for the Oct. 21 meeting, including then-Chair Michael Loconto.

Thank you for your help with this.

Best,
Jamie

Sent from my iPhone

ATTACHMENT B

Guide for Members of Public Boards and Commissions

How to be an Effective Member of a Public Board or Commission



Commonwealth of Massachusetts
Office of the Inspector General

Glenn A. Cunha
Inspector General

December 2017 Edition

Table of Contents

Guide for Members of Public Boards and Commissions	1
Practices for Effective Board Members	2
1. Learn about the public organization	2
2. Educate yourself about the role of your board (and your role as a board member)	3
3. Uphold fiduciary principles and act in the best interests of the public organization	4
4. Exercise care when making decisions and voting by informing yourself, asking questions and expecting answers	4
5. Actively oversee the executive who leads the organization	5
6. Actively monitor and protect public expenditures	7
7. Consider your ethical responsibilities and follow the Massachusetts conflict-of-interest law	8
8. Operate in compliance with the Massachusetts open meeting law	9
9. Ensure that you operate in compliance with the Massachusetts public records law	11
10. Detect and report suspected fraud, wrongdoing or other misuse of public resources: If you see something, say something	12
Conclusion.....	14
Appendix A: Sources of Advice and Assistance	15
Appendix B: Reasons for Entering Executive Session	16

Guide for Members of Public Boards and Commissions

Congratulations on your appointment to a public board or commission (“public board”). Your service to the citizens of Massachusetts is essential to good government. Thank you for your commitment to fulfilling your duties and responsibilities as a public board member.

Public boards take many forms. Some provide direct oversight to a state, county or local governmental entity (collectively, a “public organization”). Other boards set policy for their public organization and some make advisory recommendations. Still others perform a combination of these functions.

Whether you serve on a state, county or local board, you support a public organization that provides public services with public funds. Your work is important, whether you are advising your public organization on policy matters, approving salaries, reviewing the budget, or assessing the executive director’s performance. Your participation, insights and engagement as a citizen and active decision-maker are essential to ensuring that your public organization fulfills its mission and uses public resources appropriately.

Who should use this guide?

If your board has a role in overseeing the public official leading a public organization – or if your board provides input on a public program, the use of public funds or the care of public property – you should read this guide. Similarly, if you are a member of a board that provides advice or recommendations to a public organization, this guide will help you fulfill your duties as a board member.

This guide outlines practices, such as upholding fiduciary principles, that will help you effectively perform your role. It also provides an overview of the laws that apply to your position. These laws relate to the meetings your board holds, your official acts and communications, and your individual conduct. These laws serve to promote open, transparent and accountable government, all of which are essential elements to our representative democracy.

Use this guide to understand your obligations and to help you perform your duties as a public board member to the best of your abilities. The appendix at the end of this guide contains additional resources, including contact information for state agencies that interpret and enforce the laws applicable to you and your board.

Thank you again for your commitment to fulfilling your duties and responsibilities as a public board member.

Public boards take many forms, such as:

- *Public university boards of trustees*
- *Redevelopment authority boards of trustees*
- *Municipal light department boards of commissioners*
- *Housing authority boards*
- *Town finance committees*
- *Library boards of trustees*
- *Municipal select boards*
- *Economic development authorities*

Practices for Effective Board Members

The following practices will help you succeed in fulfilling your obligations as a public board member.

1. Learn about the public organization.

When you are first appointed, get to know the public organization you serve. Learn about the public organization's mandate or mission, which may be found in state law or a local ordinance. A public organization's mandate often identifies the scope of its authority to carry out its public purpose or service, as well as any procedures governing how it achieves its mission and any regulations or by-laws that its officers or appointees must follow.

In addition, learn about *how* the public organization fulfills its mission. Read about the programs it operates and the segments of the public it serves. Ask for past annual reports and budgets, as well as a current organizational chart. Learn about recent achievements and upcoming initiatives or special projects.¹

Ask:

- What is the public organization's mission or mandate?
- What rules, regulations or by-laws govern the public organization, if any?

Delve deeper and ask:

- How does the organization carry out its mission or purpose?
- How is the organization structured?
- What is the organization's annual budget? Who sets the budget and who decides how it is spent?
- Who are the senior officials in the organization and what are their roles?
- What are the major projects or objectives that the public organization is considering over the next few years? What will be the projected cost of these projects?
- Are the proposed projects and objectives consistent with the mission of the public organization and with the organization's budget and other priorities?

The answers to these questions will help you understand how the public organization operates and will enable you to become an effective and involved board member.

¹ The State Auditor conducts periodic audits of state agencies, quasi-state agencies and housing authorities. If you serve on such a board, check the State Auditor's website, available at www.mass.gov/auditor, for audit reports on your public organization.

2. Educate yourself about the role of your board (and your role as a board member).

In order to be an effective public board member, you need to understand your board's role with respect to the public organization. Some boards provide direct oversight to ensure that the public organization operates effectively and in accordance with its mandate, while others work in an advisory capacity to help guide a public organization toward particular goals and outcomes. The board's role is usually set out in a statute, local ordinance or other enabling document.

You should understand the board's role and responsibilities in order to guide the public organization toward the realization of its mission, goals and objectives.

Ask:

- What is the scope of the board's authority and what is the source of that authority?
- What matters typically come before the board?
- Based on the board's role with respect to the organization, are there other matters that should be brought before the board?

You should also understand how the board operates, including how often it meets, how the agenda is established and the procedures that govern the meetings. As a starting point, read the meeting minutes from at least the past four board meetings.

Ask:

- How often does the board meet? Is the board required to meet on a specific schedule and, if yes, what is that schedule?
- Who sets the agenda for the meetings? Can board members submit topics for the agenda?
- Does your board follow written procedures for meetings, such as *Robert's Rules of Order*?
- How does the board vote? Are all votes conducted in the same manner?

Public boards should meet regularly to facilitate open, vigorous and in-depth discussions in compliance with the Massachusetts Open Meeting Law, which is outlined later in this guide.

Furthermore, take steps to learn how the chairperson and other officers are selected, if there are limits for serving as an officer and whether your board may establish committees. Request lists of all current board members and committees.

Your board may find it helpful to adopt a set of written operating procedures, including for the conduct of meetings, term limits and leadership appointments, if they are not already in place.

Ask:

- How are officers selected?
- Does the board have committees and if so, how are members selected to serve on them?

- Are there term limits for officers, board members or committee members?

3. Uphold fiduciary principles and act in the best interests of the public organization.

In some instances, the law may consider you a fiduciary. A fiduciary is someone who owes a particular duty of care, known as a fiduciary duty, to an entity or individual – in this case, a public organization. A fiduciary duty requires an individual to act with good faith, loyalty and due care. A fiduciary must act in the best interests of the public organization.

Even if you are not a fiduciary under the law, fiduciary principles should guide the decisions that you and your board make. Adhering to fiduciary principles will help the board recognize that it is a steward of the public funds entrusted to the organization, and that the board plays a vital role in ensuring the public organization

A fiduciary is “someone who is required to act for the benefit of another person on all matters within the scope of their relationship; one who owes to another the duties of good faith, loyalty, due care, and disclosure.” Black’s Law Dictionary 10th ed. (2014).

fulfills its mission. As part of upholding fiduciary principles, the board should always act independently, with care and in the best interests of the organization.

Board members who adhere to the fiduciary principles will be active participants in board matters, will stay informed and will act in the best interests of the organization. Fiduciary

Using fiduciary principles as the framework for your board will result in an active, well-informed board that acts in the public organization’s best interests and assists the organization in achieving its mission.

principles remind the board that it must act on behalf of the organization, not its executive. They will lead the board to actively oversee the executive and to expect accountability from the executive, which will help the public organization operate effectively, transparently and in accordance with its mission.

4. Exercise care when making decisions and voting by informing yourself, asking questions and expecting answers.

To be an active and effective board member, you must be informed. Consequently, before your board meets, arm yourself with accurate information to make thoughtful decisions. Take time to prepare for meetings in advance; read the materials that are distributed and think about the issues on the agenda.

Ask:

- How far in advance does the board receive meeting materials so that you can properly prepare for pending actions before voting on a matter before the board?
- What is the procedure for requesting the organization to provide additional information, either in advance of or at a meeting?

- What is the procedure for asking individuals from the organization to attend the meeting to provide additional information?

Public discourse, analysis and debate are expected, whether public board members are trustees of a public college or commissioners of a local housing authority. When your board meets, ask probing questions that are relevant to the issue and debate the issue at hand during meetings to get information that will help you make informed decisions. If the chair of the board or an official in the organization does not provide you with the necessary information to make an informed decision, ask for it. If you do not receive the information you need, ask to change the date of the vote.

Before voting on a matter, ask probing questions, such as:

- What statutes or regulations apply to the requested action?
- What internal procedures apply to the requested action and were those procedures followed?
- Does the requested action align with the public organization's mission, responsibilities, priorities and budget?
- Do you need additional data so that you can make an informed decision?
- Do you need to hear from others in the organization? For instance, does legal counsel or human resources have information necessary to make this decision?

Finally, exercise your own judgment and always act in the best interests of the public organization. Do not allow yourself to be marginalized by an executive or fellow board member who may assert knowledge or expertise above yours or who simply does not agree with you. Do not rubber stamp official acts that come before your public board – your work is important and you need to be informed.

5. Actively oversee the executive who leads the organization.

It is likely that your public organization is run by an executive, such as a public college president, a director or other professional, and that your board is responsible for overseeing the executive. If so, respect the trust the taxpayers placed in you. While you do not want to interfere with the day-to-day management of the public organization, you do want to make certain that the executive's actions align with the objectives of the public organization. The executive reports to you and is accountable to the board. Be an active overseer.

Expect the executive to timely inform the board of major projects, expenditures and initiatives. Use board meetings to discuss substantive issues with the executive, such as budget planning, capital projects and significant policy matters. Ask questions, seek clarification and get back-up documentation. Collaboration with the executive will require open communication and information-sharing.

Ask:

- What are the executive's objectives and priorities for the organization?
- Do these objectives align with the organization's mission and values?
- What are the financial costs of achieving these objectives?

To help both the executive and the organization, your board should conduct an annual performance evaluation of the executive. It also must establish a system to track and account for the executive's vacation, sick and work time. Both the performance assessment and the mechanism used to account for the executive's time should be established in writing. The board also should ensure that the organization can track other expenses and requests for reimbursements.

The board should approve the executive's expenses and reimbursements (at least those above a certain dollar threshold). This includes reviewing the back-up documentation for the executive's expenses and reimbursements. Staff who report to the executive are not in a position to question the executive's performance, expenditures or conduct; the board's independence and oversight in this regard are therefore critical.

Similarly, perform your due diligence before signing the executive's contract – whether it is the executive's first contract or a renewal. Your board should do its own, independent research to ensure that the salary and other benefits offered, including vacation time, sick leave and other fringe benefits, are reasonable and consistent with standard practices. Make sure that they are comparable to those of other executives with like experience and expertise who work in similar public settings. And very importantly, ensure that the compensation is consistent with the public organization's budgetary commitments.

Be clear about time expectations. If the executive must devote his full time and attention to the public organization, make that explicit in the contract. If the position is part-time, the contract should clearly set out time and attendance requirements.

Information about state salaries is accessible online through CTHRU, available at www.macomptroller.org.

Finally, apply the same due diligence if you have to recruit a new executive for the public organization. Conduct an appropriate search that provides you with a talented applicant pool. As part of the selection process, speak with references and conduct a background check.

Ask:

- What is the organization's budget for the executive's salary?
- How much time is the executive required to devote to the public organization?
- How does the organization document and verify the executive's work, vacation and sick leave hours?

Consider establishing an independent audit committee that reports to the board. Among other duties, the committee could periodically audit reimbursements and expenses at the executive level.

- What is the public organization's expense reimbursement policy? Is it consistent with the public organization's mission and objectives? Does it clearly define how the executive's expenses are reviewed and approved?
- Do the executive's reimbursement requests match legitimate expenses related to the public organization's public purpose?

6. Actively monitor and protect public expenditures.

Your board may be responsible for approving budgets, capital projects and other expenditures. If that is the case, your public board ensures that a public organization utilizes its finite public resources wisely and complies with the laws that govern the use of those resources. You are the steward of those resources as a public board member.

As a starting point, learn to read a financial statement. You do not need to be an accounting expert, but understanding financial statements is essential to ensuring that your organization is using its public resources appropriately. If accounting is not your area of expertise, consider asking a professional from within the organization to give the board a tutorial on reading financial statements. Be sure to not only look at the figures in the financial statement, but also be sure to review the accounting firm's notes regarding litigation and other matters that may affect the financial soundness of the organization. Also, when financial material is presented at a board meeting, ask questions to clarify any unclear information. Chances are high that if you are uncertain about the information, other board members are, too.

You also should understand the public bidding laws that apply to your organization. In Massachusetts, many public organizations must follow particular laws and procedures before undertaking construction projects; buying supplies, services and real property; or disposing of surplus supplies and property. The Legislature designed these laws to ensure that all qualified vendors have a fair and equal opportunity to compete for public contracts and that taxpayer money is spent wisely. To the extent you can, educate yourself or obtain training on these laws. Additional resources to help you understand these laws are available in Appendix A at the end of this guide.

Ask:

- What laws must the public organization follow related to purchasing or disposing of goods, services and real property?
- What laws must the public organization follow in connection with construction projects?
- What are the public organization's written procurement policies?
- What audit procedures are in place to ensure that the organization is complying with state law and its internal procedures?

The Office of the Inspector General provides several resources, including procurement charts and manuals, to help you understand public bidding and construction laws. For more information, please visit the Office's website, available at www.mass.gov/ig.

At the state level, the Massachusetts Comptroller maintains "CTHRU," a comprehensive electronic database of state expenditures, including state salaries and payments made to vendors by state agencies. Use this database, available at www.macomptroller.org, to learn more about your agency's expenditures or to compare your organization's expenses to other public organizations.

If you are a member of a local board that serves a local public organization, inquire about whether there is an electronic resource similar to "CTHRU," so that you may have more information at your fingertips about the budget, salaries and spending of the organization.

Armed with this information you will be able to make meaningful determinations about financial matters that come before your board.

7. Consider your ethical responsibilities and follow the Massachusetts conflict-of-interest law.

As a public board member, you likely are subject to the state's conflict-of-interest law, which is designed to ensure that all public employees act for the benefit of the public organization, free from personal bias or gain. The law impacts your conduct as a board member, as well as certain activities you undertake separate from your board membership. For instance, the law:

- Restricts you from discussing or voting on matters in which you or an immediate family member, or your private business has a financial interest.
- Restricts you from accepting gifts and gratuities, if given because of some official act or because of official position, even if the gift or gratuity would not influence your actions as a board member.
- Requires you to disclose in writing any appearances of a conflict of interest prior to performing your official duties, and prohibits favoritism toward a family member or friend or bias against a business associate.
- Restricts you from representing business or other interests before your board.

The law also requires you to:

- Complete training on the conflict-of-interest law. You have to acknowledge receiving a summary of the conflict-of-interest law every year and complete the Ethics Commission's free, online training program within 30 days after your appointment.
- File disclosures in certain instances involving actual and potential conflicts of interest.

You must acknowledge receipt of the conflict-of-interest summary annually and complete the online training program every two years. If you have not taken the training, contact the Ethics Commission (see Appendix A) or the individual or office that appointed you.

Keep the conflict-of-interest law especially in mind when your board deliberates or votes on an issue. Your vote matters. It is an official act and your decisions or deliberations must be

independent and free from personal bias, personal gain and personal advantage. When you believe there may be a conflict between your official duties and your personal interest, at a minimum you must disclose that conflict. Disclosure forms and instructions are available on the Ethics Commission's website.

The Ethics Commission provides free advice to all public employees on the conflict-of-interest laws. Its website, available at www.mass.gov/ethics, also contains helpful advisories, guides and rulings.

You must abstain or recuse yourself from a matter under consideration by your public board if certain financial interests are affected. If a matter before your board creates an appearance of a conflict for you, you must first disclose the nature of the conflict in writing before participating in deliberations and voting on the matter. At a minimum, disclosure creates transparency and helps ensure accountability, impartiality and independence. It enhances the public's confidence in the integrity and fairness of our government and its processes. It helps ensure the delivery of honest services unencumbered by personal interest or gain.

To help your board and your public organization comply with the conflict-of-interest law, ask:

- Have all board members completed the conflict-of-interest law's educational requirements?
- Does your board or the public organization understand how to complete and submit conflict-of-interest law disclosure forms? If so, where are they retained?
- Does your board have a written policy about abstention or recusal?
- Are you permitted to work on outside activities that may impact your role as a board member? If so, how are outside activity requests approved?
- Does your board require the executive to file disclosure forms or outside activity forms? If so, are the forms reviewed? Is there an approval process required? Are these activities monitored for potential conflicts?

You may want to consider circulating an annual "outside activities" form as part of an internal control plan related to possible conflicts of interest. It may prompt disclosure before a conflict arises.

Finally, remember that the conflict-of-interest law applies to your fellow board members, employees of the public organization and, in certain instances, to consultants and contractors. If you learn of a potential conflict of interest – whether by a board member, senior executive or employee – you need to properly address it. Seek advice from your board's legal counsel or contact the Ethics Commission.

8. Operate in compliance with the Massachusetts open meeting law.

When you were appointed, you should have received a copy of the state's open meeting law. Similar to the conflict-of-interest law, the open meeting law applies to both your individual conduct and the board's operations. For example:

- Public boards must give advanced notice of the topics that will be discussed at a meeting.
- Meetings of public boards must be open to the public, although in limited circumstances members *may* hold certain aspects of the meeting in closed session, away from public view.
- Discussing certain matters with other board members outside of a properly noticed meeting – such as by email or telephone – will likely violate the open meeting law.

Once appointed, all public board members must sign a certification form stating that they have received certain educational materials, that they understand the requirements of the open meeting law and that they understand the consequences for violating it. These educational materials include the text of the law, the Attorney General's regulations, the Attorney General's Open Meeting Law Guide, and copies of all determination letters from the past five years where the Attorney General found that the public body had violated the open meeting law.

Because the open meeting law promotes openness and transparency in government, it contains specific notice requirements to ensure that the public knows – prior to the meeting – when and where the board will meet, along with what topics the board intends to discuss at the meeting. Except in the case of an emergency, a public board must provide notice of its meeting 48 hours in advance (excluding Saturdays, Sundays and legal holidays). The notice must include the date, time and location of the meeting, as well as a list of all topics that the chair reasonably anticipates will be discussed.²

The law seeks to balance the public's interest in witnessing the deliberations of public officials with the government's need to manage its operations efficiently. Consequently, a board may only discuss the topics listed in the meeting notice, unless the topic was not reasonably anticipated when the notice was posted. While public bodies (such as boards) may discuss topics that were not reasonably anticipated by the chair, the Massachusetts Attorney General encourages public bodies to postpone discussion of any topics of significant public concern until notice can be given to the public.

Further, while most board discussions must be public, as noted above, there are certain situations in which the board *may* vote to meet in private. In these instances, your public board may discuss a matter in what is known as an "executive session." An executive session may be held for any of ten permissible reasons, as specified in the open meeting law. Public bodies are required to post notice of anticipated executive sessions, listing the topics to be discussed behind closed doors with as much detail as possible without compromising the lawful purpose for secrecy. Public bodies must begin meetings in open session before entering executive session and must take a vote to enter executive session, again providing as much detail as possible about what will be discussed.

See Appendix B at the end of this guide for a list of the ten permissible reasons for entering executive session.

² The open meeting law also contains additional requirements concerning meeting notices, including where the notice must be posted.

The open meeting law prohibits communication between or among a quorum of a public board outside of a noticed meeting on any business within that board's jurisdiction.³ Therefore, a series of telephone calls or emails between a quorum of board members – often referred to as “serial deliberations” – could violate the open meeting law. This is because the public is entitled to notice and an opportunity to witness deliberations concerning board business.

Ask:

- Does your public organization post meeting notices in advance?
- Do members discuss only what is on the agenda at the meeting?
- Does your board vote to enter “executive session” properly and only for the reasons set forth in the open meeting law?
- Does your board have practices in place to ensure that members do not have serial deliberations that violate the open meeting law?

The open meeting law addresses many topics, such as remote participation and meeting minutes, that are not discussed here. The Massachusetts Attorney General's Office (“AGO”) is responsible for interpreting and enforcing the open meeting law. It produces a comprehensive guide to the open meeting law, as well as helpful educational material and rulings. The AGO also provides in-person and online trainings about the open meeting law. Visit the AGO's website, available at www.mass.gov/ago, or contact the AGO's Division of Open Government, to learn more about the open meeting law.

9. Ensure that you operate in compliance with the Massachusetts public records law.

The public records law is another way citizens may examine whether their government is functioning in accordance with its public policy objectives and in compliance with the law. Indeed, the public records law supports transparency of the decision-making process and promotes the accountability of public employees, public boards and government officials to the taxpayers.

Consequently, the law requires that you retain certain records for a period of time, and that you turn over certain records if a member of the public requests them – when they contain content related to your official capacity. *This is true even if the records are on your personal computer, personal cellphone or personal email account.*

All public boards receive and generate public records in the regular course of business. You also generate public records when you operate in your official capacity as a public board member. If you communicate with another individual in your official capacity or exchange information about matters under your board's purview, for instance, you may create a public

³ For the purposes of the open meeting law, a quorum is a simple majority of the members of the public board. For example, in the case of a five-member board, the quorum would be three.

record even if you use your personal email, voicemail or video recording to transmit that information. A common misperception exists that communications on personal email accounts or via text messages are not subject to the public records law; this is incorrect as all board-related communications are subject to public disclosure.

In addition, the law defines the term “record” very broadly and it includes more than written meeting minutes or agendas. For example, records can include emails, photographs, voicemails, video tapes, attendance lists and public meeting sign-in sheets. These records are subject to public records requests, and you may be required to keep these documents for a certain period of time. Check with your public organization and the Secretary of the Commonwealth to determine the full scope of your record retention obligations.

The Secretary of the Commonwealth's Office provides record retention schedules for state, county and local governmental entities.

Ask:

- Does your board have a written policy or a practice related to managing public records requests?
- Do public board members respond to inquiries about board matters made by the public in a manner that is consistent with this policy?
- Does your board have an appointed Records Access Officer?
- Does your board have a practice related to the use of personal devices or emails?
- Does your board have a written records retention policy?

For more information on the state's public records law, please contact the Public Records Division at the Secretary of the Commonwealth's Office at (617) 727-2832. The Secretary of the Commonwealth's Office also has developed a free, comprehensive guide to the public records law. The guide, titled *A Guide to the Massachusetts Public Records Law*, is available on the Secretary of the Commonwealth's website at www.sec.state.ma.us. See Appendix A.

10. Detect and report suspected fraud, wrongdoing or other misuse of public resources: If you see something, say something.

Any misuse of public funds and resources affects a public organization's financial well-being, reputation and ability to accomplish its mission. As a public board member, you have an important role in preventing and detecting fraud. You and your fellow members are custodians of the public trust. You have the responsibility to protect public resources, including money, assets, real property, employee time, digital records and other types of data. Massachusetts citizens have entrusted these public resources to your care.

Although most employees are honest and hardworking, fraud and other misconduct still occur, so you must diligently apply preventative measures – often referred to as internal controls – to help safeguard public assets and taxpayers' interests. As a result, all organizations need

internal controls. Every internal control must be based on the specific organization. Some common elements of an internal control plan to protect public resource include the following:

- The segregation of duties performed by employees to ensure no one individual can commit and cover up their own wrongdoing.
- Approval processes for expenditures, with increased oversight for larger expenditures.
- Methods to track and monitor employee time and attendance, including the use of leave time.
- Controls to track the public organization's acquisition and disposition of public assets, such as vehicles, equipment, supplies and petty cash.
- Fraud-reporting mechanisms, including a telephone or email hotline or an independent complaint review process.
- An anti-fraud policy, as well as employee training on the policy and annual reminders to follow the policy.
- A code of conduct with standards related to conflict of interest and other professional standards that align with the public organization's mission.
- Tone at the top: communication from the organization's administration about its commitment to the highest ethical and professional standards.
- Careful vetting of employees – both before and after hiring – to ensure that their background and professional certifications meet the entity's standards and support the entity's mission.

Further, you should determine whether the board has an internal audit committee to check and verify expenses. If not, advocate for the creation of one. The board needs to set the "tone at the top," and communicate that the public organization has zero tolerance for fraud and other inappropriate activity. An ethical work environment with internal controls is essential to the proper use of public resources.

Ask:

- What fraud risks exist in the public organization your board oversees?
- What types of internal controls are in place to properly monitor the use of public resources?
- Does the public organization or your board perform compliance reviews or audits?
- Does your public organization have an anti-fraud program that includes training, policies, new-hire background checks and a fraud hotline or other fraud-reporting mechanisms?

*Report suspected fraud, waste or other misuse of public funds by calling the Office's confidential hotline: (800) 322-1323.
Or email the Office at IGO-FightFraud@state.ma.us.
All reports are confidential.*

Conclusion

This Office would like to thank the Office of the Attorney General, the Secretary of the Commonwealth and the State Ethics Commission for their assistance in creating this guide.

To learn more about fulfilling your role as a board member, we hope you will attend the Office's complimentary class, *Are You a Member of a Public Board or Commission? Know Your Responsibilities*. This free class is offered through the Office's Massachusetts Certified Public Purchasing Official ("MCPPO") program. For information on dates for this course, please see the Office's website at www.mass.gov/ig.

If you would like to learn even more about protecting your public organization and its limited public resources, the Office's MCPPO program offers a wide range of training – from public construction to contract administration to fraud prevention. Please explore the MCPPO's classes at www.mass.gov/ig.

Thank you for your service and best of luck in your role as a public board member!

Appendix A: Sources of Advice and Assistance

Office of the Attorney General

The Office of the Attorney General interprets and enforces the open meeting law.

Office of the Attorney General

Division of Open Government
One Ashburton Place
Boston, MA 02108
Telephone: 617-963-2540
Email: openmeeting@state.ma.us
Website: www.mass.gov/ago

Office of the Comptroller

The Office of the Comptroller is responsible for developing internal control guidelines for Commonwealth departments, including state agencies and quasi-state agencies.

Office of the Comptroller

One Ashburton Place, 9th Floor
Boston, MA 02108
Telephone: 617-727-9140
Email: comptroller.info@state.ma.us
Website: www.mass.gov/comptroller

Office of the Inspector General

The Office of the Inspector General is an independent agency that prevents and detects the misuse of public funds and public property, conducts confidential investigations, improves transparency in government, helps government run more effectively and educates government employees and the public.

Office of the Inspector General

One Ashburton Place, Room 1311
Boston, MA 02108
Telephone: 617-727-9140
Email: IGO-FightFraud@massmail.state.ma.us
Website: www.mass.gov/ig

Secretary of the Commonwealth

The Secretary of the Commonwealth administers the public records law.

Secretary of the Commonwealth

Public Records Division
One Ashburton Place, Room 1719
Boston, MA 02108
Telephone: 617-727-2832
Email: pre@sec.state.ma.us
Website: www.sec.state.ma.us

State Ethics Commission

The State Ethics Commission administers and enforces financial disclosure and conflict-of-interest law. It also renders written advisory opinions upon request.

State Ethics Commission

One Ashburton Place, Room 619
Boston, MA 02108
Telephone: 617-371-9500
Website: www.mass.gov/ethics

Appendix B: Reasons for Entering Executive Session

While all meetings of public bodies must be open to the public, certain topics may be discussed in executive, or closed, session. The open meeting law, G.L. c. 30A, § 21, sets out ten permissible reasons for entering executive session:

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual;
2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;
6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;
9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:
 - (i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
 - (ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session.

10. To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided;

in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to G.L. c. 164, § 1F.

ATTACHMENT C

Subject: City of Boston Public Records Office City Public Records Request :: R000876-102720

Body:



BOSTON PUBLIC SCHOOLS
OFFICE OF LEGAL ADVISOR
 Martin J. Walsh, Mayor

11/05/2020

RE: PUBLIC RECORDS REQUEST of October 22, 2020., Reference # R000876-102720

Dear James:

The Boston Public Schools (BPS) submits this response to your request for public records. A response to a public records request must be provided within ten (10) business days from the business day a written request was received. G. L. c. 66, § 10 (a); 950 CMR 32.06(2)(b). This response applies only to records that exist and are in the custody of the BPS. See A Guide to the Massachusetts Public Records Law, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Specifically, you stated:

Under the state's public records law and the state's open meeting law, I am seeking copies of all cellular telephone text messages and emails related to BPS issues that were sent and received by each Boston School Committee member during their meeting that began on Oct. 21 and that ended on Oct. 22. This request applies to all members who sat on the committee for the Oct. 21 meeting, including then-Chair Michael Loconto.

It is my understanding you sent your request to the BPS Press Office. Please be advised you may also file a public records request online at the City of Boston's public records request portal:

[https://bostonma.govqa.us/WEBAPP/_rs/\(S\(nbt14nncz15or4qiperko0go\)\)/support/home.aspx](https://bostonma.govqa.us/WEBAPP/_rs/(S(nbt14nncz15or4qiperko0go))/support/home.aspx)

Responsive records are available to you via the Public Records Center. Click the link below to login to the Records Center and retrieve the requested records.

City Public Records Request - R000876-102720

Text Messages

With respect to text messages, it is important to note that none of the members possess a mobile phone that is owned by BPS or the City of Boston. Each member was contacted and asked to provide text message records from the respective personal devices that are responsive to your request. While no portions of texts were redacted based on statutory exemptions to the public records law, BPS did omit portions deemed not "related to BPS issues."

Emails

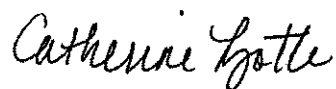
Each member of the Boston School Committee is provided with an email address. To comply with this request, the BPS conducted a search of its email system for the dates and times of the meeting. No portions of these records were redacted.

Conclusion

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth, G.L. c. 66, § 10A (c); G.L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

11/5/20, 5:47 PM

Sincerely,

A handwritten signature in black ink that reads "Catherine Lytle". The script is cursive and fluid.

Legal Advisor
Boston Public Schools

(Text messages presented in italics)

Transcription of Text Messages Responsive to Public Records Request (R000876-102720)

Wednesday, October 21, 2020

5:46 p.m.

"SA" and Lorna Rivera (LR)

SA - Lorna, as a member of the Exam School Working Group, thanks for your support. Mil gracias licenciada.

LR - Your efforts made this possible! Mil gracias!

SA - A la orden siempre, Lorna.

LR - Igualmente! (emoji smiley face)

[time?]

Lorna Rivera (LR) and Alexandra Oliver-Davila (AOD)

AOD - Sure! Hi by law Chair sets agenda and we can't vote on anything Superintendent hasn't had a chance to respond to. He suggest talking to ML and asking him to add to the agenda for next time. We have 170 people speaking tonight so honestly this is probably not the best time to do it even if we could.

LR - Ok wow 170!?! I don't know if I will be able to stay awake. I am too old for this job.

LR - Hi I calculated 170 people *3=510/60 min=8.5 hours. Is this for real? Can't we end at a certain time? Are we allowed to take breaks? I am sorry to complain.

AOD - Yup it's real. 2 min each but will be a very long mtg

AOD - I think take breaks as you need them.

AOD - Best sc meeting ever I am trying not to cry

LR - Me too!

LR - Why can't we get interpretation/translation right? Why does language access have to be so hard?

AOD - When I was on the meeting that explained the proposed policy people got to choose to go into a room to get the whole meeting translated - at least that is how I understood it

LR - Should I ask Dr. C what the heck?

AOD - Sure you can text her.

[time?]

Lorna Rivera (LR) and Brenda Cassellius (BC)

(Text messages presented in italics)

LR - Hi why is interpretation a continuing problem for some of our communities? I hope we can improve.

BC - We had Cantonese and I just asked Monica. This is the purview out the Committee. I suggested to Monica that if we have over a certain number of participants that we automatically default to all 10 languages but I think to provide it for SC it requires them to request it. Maybe bring it up to Mike.

BC - I can change for my team though!

LR - I will. I know there is so much going on. I really do appreciate your hardwork!

BC - [screenshot of Gchat from staff member that reads, "I believe SC only requests interpreters for public comment based on who signs up for public comment. It would be good to revisit that decision."]

LR - Thanks!

[time?]

Lorna Rivera (LR) and Alexandra Oliver-Davila (AOD)

[time?]

AOD - I still stand by my statement.

LR - I said BPS students should get preference and stand by this.

AOD - Oh then it was both of us!

AOD - What did I just miss? Was that ML saying Shannana and booboo??? My ADD is killing me here!

LR - I think he was making fun of the Chinese names! Hot mic!!!

AOD - That's what I thought. Omfg he's gonna get killed someone is going to go back and capture that

LR - I almost laughed out loud. Getting giddy here!

Someone already captured Brenda on cell in twitter (?)!

AOD - I've been getting some funny tweets tonight it's hard not to smile or laugh.

Yikes.

LR -Dios mia!!

AOD - No comment

LR - People tweeting about loconto hot mic!!

Anissa said WTF!

AOD- Oh no! It's gonna be ugly

(Text messages presented in italics)

LR - Someone texted me Loconto should resign, but I don't have them in my contacts

AOD - Oh boy How/where do I look on Twitter - sorry I'm old I'm not good at twitter

LR - Send me your handle and I will forward some

Or look up Anissa tweets

AOD - Alexoliver 33

Do we acknowledge the apology? What do we do??

LR - Did you see some of the tweets? I feel bad for loconto. Is he going to resign??

AOD - I feel bad too because he really was the person who pushed this forward with the Mayor

Idk if he will do it or not

AOD - I am not going to interrupt (?) him! Let him have his time. He needs it.

LR - Trying to redeem himself - [winking emoji]

Good night!

AOD - Good night.

LR - Good morning, actually!

Wednesday, October 21, 2020

10:34 p.m.

Lorna Rivera (LR) and Michael Loconto (ML)

LR - Hi can you tell me how many more people left to testify? I couldn't find the spreadsheet in google

ML - 77 to go, many falling off

[time?]

LR - Hi can you tell me if angie camacho is on the list and what number?

ML - yes she is #168, we are on 145

LR - Thanks.

[time?]

Michael Loconto (ML) and Alexandra Oliver-Davila (AOD)

ML- Do I need to worry about my non-sequitur earlier? I feel awful, I've been getting texts about it from Michael and Brenda.

(Text messages presented in italics)

AOD - I heard [end] and not whole thing. I think Anissa commented on it. I think be prepared just in case I'm sorry this all stinks!

ML - Ugh

Jeez

On twitter?

AOD - I know.

I'm sorry.

Yes.

ML - Oh God no

I don't know what to do

AOD - I think just again apologize. What does MO suggest?

ML - Asking

AOD - I think that was good

ML - Jesus I am mortified

AOD - I know I'm very sorry

Do you want me to acknowledge your apology and say thanks or just leave it alone?

ML - I don't know

Wednesday, October 21, 2020

6:00 p.m.

"Marty" [Boston Mayor Marty Walsh] (MW) and Jeri Robinson (JR)

MW - Good luck

JR - Glad we're remote. Lots of passion. Wish there was as much passion and concern for the rest of our 52,000 students and 122 schools and not just the select three.

Marty - I agree with you.

[time?]

Jeri Robinson (JR) and Alexandra Oliver-Davila (AOD)

JR - Yes

6:27 p.m.

(Text messages presented in italics)

AOD – What a great (unclear) totally trying not to cry, best meeting ever.

JR – So true. So proud of the Mayor

AOD – Me too, but we need to push because he said it was one year in his comments – we should call him and thank him so he knows where we stand.

JR – True. I did text and thank him at the conclusion of his remarks.

AOD – That's great.

6:53 p.m.

Sonia Barney Gomez (SBG), Josette Williams (JR) and Jeri Robinson (JR)

SBG – Jeri how excited I'm for you. This is like doing the impossible. Waiting for the vote.

JR – Yes. Amazing what can happen during a pandemic. There are over 800 folks watching. Wish there was as much concern about all of our kids and schools.

SBG – Yes. Baby steps. I believe this is historic. I'm hoping community partners come in to support students to make sure our students succeed

JW – I'm holding on. Either way, folks are really showing their true colors!!! This city is never ready for real change but time has come.

SBG – I just told Monica we need to start scheduling our community meetings to make sure we have parent voices to [unclear] the changes permanent for next year.

10:05 p.m.

Jeri Robinson (JR) and Michael Loconto (ML)

JR – what number are we up to?

ML – 84. People starting to drop off now.

11:00 p.m.

“SA” and Jeri Robinson (JR)

SA – How are you holding out Jeri. Looking pretty tired...

JR – I am. We still have about 70 speakers.

SA – that's 2 plus hours by my reckoning.

JR – Tulane [sic?] without our vote, so about 2 am.

JR – Some folks are dropping off, let's hope more do.

(Text messages presented in italics)

Wednesday, October 21, 2020

[time?]

Alexandra Oliver-Davila (AOD) and Brenda Cassellius (BC)

AOD - *Best meeting ever. Trying not to cry. What a great letter.*

BC - *Yup. I asked him to write it and I asked Tanisha to read it. Powerful.*

AOD - *Great idea!*

6:28 p.m.

BC - *Speak it.*

AOD - *Amen!*

Wednesday, October 21, 2020

5:27 p.m.

Michael O'Neill (MON) and Michael Loconto (ML)

MON - *You should mention Khymani was on the national student panel last week.*

ML - *[thumbs up emoji]*

MON - *He was excellent and made us BPS Proud.*

ML - *[thumbs up emoji]*

[time?]

MON - *What the heck was your last comment/your mic was on. Hope you were talking to your daughter about a bedtime book. Sha boo. Boo boo boo?*

ML - *Geez I'm sorry I was talking to my wife about a kid's book*

MON - *Thought so, but it came out real weird!*

ML - *Should I address?*

MON - *You did it right.*

ML - *I'm mortified if someone took it another way, Brenda mentioned it too and said someone else texted her about it*

MON - *It was right after Liz read a bunch of names, could have been interpreted that you were commenting on the names. I knew you would never do that, assumed one of your daughters was saying good night. Glad you cleared it up right away. Don't worry about it any more.*

(Text messages presented in italics)

MON - *How far along are we?*

ML - *Ok thanks. I realized that after I got the text. I feel awful.*

ML - *We are on 159. 20 to go.*

MON - *You corrected very quickly. Regular watchers know your daughters always say goodnight to you.*

ML - *Anissa tweeting about it. I don't know what to do*

ML - *Am I ok? I hope I put that to bed.*

MON - *Please put me last, before VC and you, but after the other members.*

ML - *Of course, assumed as much.*

MON - *Let's vote!*

6 43 p.m.

Michael O'Neill (MON) and Khymani James (KJ) (student member)

KJ - *Are you comfortable on the logistics behind transferring elementary school grades to letter grades? I'm confused on that part and don't want to ask publicly if I can get a behind the scenes answer.*

MON - *I suggested last week and will suggest again tonight they bring in a 3rd party to oversee/work with BPS on the process. They do have a method to convert BPS grades to a 12 point system, based on the specific 1-4 grades in certain subjects. They have had to do it for years as GPA is already 50% of the criteria. But I would prefer independent oversight to build trust.*

KJ - *Ahhh I see*

Thursday, October 22, 2020

12 29 a.m.

MON - *Well done. Very well done.*

KJ - *Thank you, Mr. O'Neill.*

Wednesday, October 21, 2020

Michael O'Neill (MON) and Brenda Cassellius (BC)

11 31 p.m.

BC - *Yikes.*

Thursday, October 22, 2020

1 47 a.m.

(Text messages presented in italics)

BC - Remember I talked about that in my interview.

MON - (thumbs up sign)

BC - Thank you.

MON - (thumbs up sign)

MON - Congrats.

Wednesday, October 21, 2020

6:19 p.m.

Khymani James (KJ) and Alexandra Oliver-Davila (AOD)

AOD - Great points. Thank you for message to fellow students. Sooo important!

KJ - Thank you, Ms. Oliver-Davila!!!

AOD - You are welcome! Keep asking your great questions!

KJ - Quick question. Is what is being voted on tonight called a "proposal" or a "policy"

AOD - proposed policy

KJ - Thank you!

AOD - Sure!

11:19 p.m.

KJ - Wow -I had to turn my camera off because of my facials.

AOD - That's a great strategy!

AOD - You are a trooper staying late!

KJ - Thanks Vice Chair. Trying my best to pull through!

AOD - Also you can leave! Everyone will understand because you have school tomorrow - past BSAC members have left around 9 pm

KJ - Yes, I am aware! Thank you - I told myself at the beginning of the year that I would attend all hours of the meeting since they're so important and only every other week.

AOD - You are a trooper! Hope your teachers give you a break on Thursday mornings

KJ - Me too! [smiling emoji]

ATTACHMENT D

Darragh Murphy
242 Neponset Avenue
Dorchester, Massachusetts 02122

November 19, 2020

Boston Public Schools
2300 Washington Street
Boston, Massachusetts 02119

Re: Freedom of Information Request

Dear Sir or Madam:

The purpose of this letter is to request information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. section 552. If this information is not available from your agency, please forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide me with a copy of the following items:

Copies of all data sets, spreadsheets, formulas, algorithms, calculations, instructions, rubrics, and guidelines used by the Superintendent's Exam School Working Group to identify the number of school aged children in each Boston ZIP code, the median income of each Boston ZIP code, and the allocation of exam school seats per Boston ZIP code, including copies of all simulations run by the Exam School Working Group, the Superintendent's Office, the Boston Public School department, and the Boston School Committee, and all electronic communication to and from all members of the Exam School Working Group, the Superintendent, the Boston School Committee, the Mayor's Office, the Boston City Council, and Boston Public Schools offices, regarding the work of the Exam School Working group, its data and findings, and the simulations.

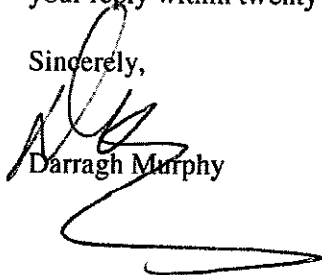
Please limit your search of the above item(s) to the period from January 1, 2020 to November 19, 2020.

If any part or all of the materials are withheld under an FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

My e-mail address is darraghmurphy@comcast.net.

As provided for by section 552(a)(6)(A)(i) of the Freedom of Information Act, please provide your reply within twenty (20) business days. Thank you for your prompt attention to this matter.

Sincerely,



Darragh Murphy

ATTACHMENT E

Darragh Murphy
242 Neponset Avenue
Dorchester, Massachusetts 02122

November 19, 2020

Boston Public Schools
2300 Washington Street
Boston, Massachusetts 02119

Re: Freedom of Information Request

Dear Sir or Madam:

The purpose of this letter is to request information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. section 552. If this information is not available from your agency, please forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide me with a copy of the following items:

Copies of all formulas, algorithms, calculations, instructions, rubrics, and guidelines used by the Boston Public Schools to convert, analyze, and standardize Grade Point Averages (GPA's) for all 6th grade applicants to Boston Latin Academy, the O'Bryant School, and Boston Latin School.

Please limit your search of the above item(s) to the period from January 1, 2017 to November 19, 2020.

If any part or all of the materials are withheld under an FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

My e-mail address is darraghmurphy@comcast.net.

As provided for by section 552(a)(6)(A)(i) of the Freedom of Information Act, please provide your reply within twenty (20) business days. Thank you for your prompt attention to this matter.

Sincerely,

Darragh Murphy

ATTACHMENT F

Darragh Murphy
242 Neponset Avenue
Dorchester, Massachusetts 02122

November 19, 2020

Boston Public Schools
2300 Washington Street
Boston, Massachusetts 02119

Re: Freedom of Information Request

Dear Sir or Madam:

The purpose of this letter is to request information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. section 552. If this information is not available from your agency, please forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide me with a copy of the following items:

Copies of all electronic communications, including emails, text messages, voicemails, social media messages, tweets, etc, to and from Superintendent Cassellius, her staff and/or assistants, and all members of the Boston School Committee, and all members of the Exam School Working Group regarding the Exam School Working Group, including electronic attachments to all electronic communications.

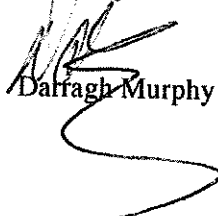
Please limit your search of the above item(s) to the period from January 1, 2018 to November 19, 2020.

If any part or all of the materials are withheld under an FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

My e-mail address is darraghmurphy@comcast.net.

As provided for by section 552(a)(6)(A)(i) of the Freedom of Information Act, please provide your reply within twenty (20) business days. Thank you for your prompt attention to this matter.

Sincerely,



Darragh Murphy

ATTACHMENT G

Darragh Murphy
242 Neponset Avenue
Dorchester, Massachusetts 02122

November 19, 2020

Boston Public Schools
2300 Washington Street
Boston, Massachusetts 02119

Re: Freedom of Information Request

Dear Sir or Madam:

The purpose of this letter is to request information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. section 552. If this information is not available from your agency, please forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide me with a copy of the following items:

ISEE exam scores and Grade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students admitted for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with the name of the exam school to which each applicant was invited to attend, the sending school name, and the ZIP code of each applicant.

If any part or all of the materials are withheld under an FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

My e-mail address is darraghmurphy@comcast.net.

As provided for by section 552(a)(6)(A)(i) of the Freedom of Information Act, please provide your reply within twenty (20) business days. Thank you for your prompt attention to this matter.

Sincerely,


Darragh Murphy

ATTACHMENT H

Darragh Murphy
242 Neponset Avenue
Dorchester, Massachusetts 02122

November 19, 2020

Boston Public Schools
2300 Washington Street
Boston, Massachusetts 02119

Re: Freedom of Information Request

Dear Sir or Madam:

The purpose of this letter is to request information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. section 552. If this information is not available from your agency, please forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide me with a copy of the following items:

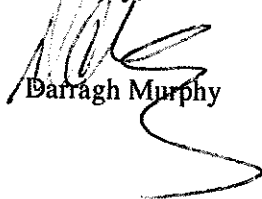
ISEE exam scores and Grade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students who did NOT receive invitations for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with the name of the exam school to which each applicant was NOT invited to attend, the sending school name, and the ZIP code of each applicant.

If any part or all of the materials are withheld under an FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

My e-mail address is darraghmurphy@comcast.net.

As provided for by section 552(a)(6)(A)(i) of the Freedom of Information Act, please provide your reply within twenty (20) business days. Thank you for your prompt attention to this matter.

Sincerely,



Darragh Murphy

ATTACHMENT I

Darragh Murphy
242 Neponset Avenue
Dorchester, Massachusetts 02122

November 19, 2020

Boston Public Schools
2300 Washington Street
Boston, Massachusetts 02119

Re: Freedom of Information Request

Dear Sir or Madam:

The purpose of this letter is to request information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. section 552. If this information is not available from your agency, please forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide me with a copy of the following items:

Grade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students admitted for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with sending school name and ZIP code of each applicant.

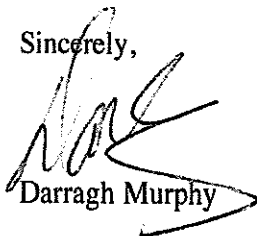
Please limit your search of the above item(s) to the period from September 01, 2019 to June 30, 2020.

If any part or all of the materials are withheld under an FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

My e-mail address is darraghmurphy@comcast.net.

As provided for by section 552(a)(6)(A)(i) of the Freedom of Information Act, please provide your reply within twenty (20) business days. Thank you for your prompt attention to this matter.

Sincerely,



Darragh Murphy

ATTACHMENT J



BOSTON PUBLIC SCHOOLS
OFFICE OF LEGAL ADVISOR
Martin J. Walsh, Mayor

1/13/21

RE: PUBLIC RECORDS REQUEST of November 19, 2020, Reference #s:

#R001025-111920
#R001024-111920
#R001023-111920
#R001021-111920
#R001020-111920
#R001019-111920

Dear Ms. Murphy:

The City of Boston (City) has received your request for public records. This response applies only to records that exist and are in the custody of the City. See A Guide to the Massachusetts Public Records Law, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Below, please find your specific requests and BPS's responses in blue.

#R001025-111920:

Copies of all data sets, spreadsheets, formulas, algorithms, calculations, instructions, rubrics, and guidelines used by the Superintendent's Exam School Working Group to identify the number of school aged children in each Boston ZIP code, the median income of each Boston ZIP code, and the allocation of exam school seats per Boston ZIP code, including copies of all simulations run by the Exam School Working Group, the Superintendent's Office, the Boston Public School department, and the Boston School Committee, and all electronic communication to and from all members of the Exam School Working Group, the Superintendent, the Boston School Committee, the Mayor's Office, the Boston City Council, and Boston Public Schools offices, regarding the work of the Exam School Working group, its data and findings, and the simulations. Please

limit your search of the above item(s) to the period from January 1, 2020 to November 19, 2020.

Records responsive to Request #R001025-111920 may be found [here](#), [here](#), and [here](#).

#R001024-111920:

Copies of all formulas, algorithms, calculations, instructions, rubrics, and guidelines used by the Boston Public Schools to convert, analyze, and standardize Grade Point Averages (GPA's) for all 6th grade applicants to Boston Latin Academy, the O'Bryant School, and Boston Latin School. Please limit your search of the above item(s) to the period from January 1, 2017 to November 19, 2020.

Records responsive to Request # R001024-111920 may be found [here](#).

#R001023-111920:

Copies of all electronic communications, including emails, text messages, voicemails, social media messages, tweets, etc, to and from Superintendent Cassellius, her staff and/or assistants, and all members of the Boston School Committee, and all members of the Exam School Working Group regarding the Exam School Working Group, including electronic attachments to all electronic communications. Please limit your search of the above item(s) to the period from January 1, 2018 to November 19, 2020.

Records responsive to Request # R001023-111920 may be found [here](#).

#R001021-111920:

ISEE exam scores and Grade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students who did NOT receive invitations for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with the name of the exam school to which each applicant was NOT invited to attend, the sending school name, and the ZIP code of each applicant.

#R001020-111920:

ISEE exam scores and Grade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students admitted for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with the name of the exam

school to which each applicant was invited to attend, the sending school name, and the ZIP code of each applicant.

#R001019-111920:

Grade Point Averages (GPA's) for school year 2019/2020 of all 6th grade students admitted for School Year 2020/2021 to Boston Latin Academy, the O'Bryant School, and Boston Latin School, de-identified, with sending school name and ZIP code of each applicant.

Records responsive to requests #R001019, 1020, and 1021 may be found [here](#).

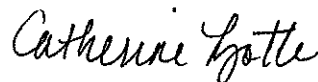
Redactions

Please note that student record information and personal emails, phone numbers, and addresses have been redacted.

Conclusion

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G.L. c. 66, § 10A (c); G.L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

Sincerely,



Catherine Lizotte
Legal Advisor
(617) 635-9250

ATTACHMENT K

7/5/2021

Google Vault - [GovQA] New Assignment - R000275-021221

[GovQA] New Assignment - R000275-021221

email: "CityofBoston@govqa.us City of Boston"

Friday, February 12, 2021 at 1:54:07 PM Eastern Standard Time

To: email: "nchase@bostonpublicschools.org nchase@bostonpublicschools.org"

i A request has been assigned to you

City Public Records Request / R000275-021221

Request Information

Assigned Nadra Chase

Staff:

Status: Assigned

Create 2/12/2021 12:48:17 PM

Date:

Requester: Darragh Murphy ,

Type of [typeinfo]

Request:

Record(s) 1. List of students who are in the applicant pool for the three exam schools (Boston Latin
Requested: School, Boston Latin Academy, John D O'Bryant School) for the school year 2021/2022,
Case / de-identified and sorted by zip code of residence. 2. List of students who applied for
Incident inclusion in the applicant pool to the three exam schools (Boston Latin School, Boston Latin
Number Academy, John D O'Bryant School) for the school year 2021/2022, de-identified and sorted
Date or by zip code of residence.
Date [CASE_NUMBER]
Range of [DATE_RANGE]
Record(s) [LOC_ADDRESS]
Location /
Address of
Incident

To access the request, please access the [Boston Public Records Center](#)

This is an auto-generated email and has originated from an unmonitored email account.
Please DO NOT REPLY.

GovQA

7/5/2021

Google Vault - [GovQA] New Assignment - R000275-021221

ATTACHMENT L

7/5/2021

Boston Public Schools Mail - [GovQA] New Assignment - R000337-022321



Lizotte, Catherine <clizotte@bostonpublicschools.org>

[GovQA] New Assignment - R000337-022321

1 message

City of Boston <CityofBoston@govqa.us>

Wed, Feb 24, 2021 at 7:33 PM

To: "clizotte@bostonpublicschools.org" <clizotte@bostonpublicschools.org>

A request has been assigned to you

City Public Records Request / R000337-022321**Request Information**

Assigned Catherine Lizotte

Staff:

Status: Assigned

Create 2/23/2021 6:00:53 AM

Date:

Requester: Darragh Murphy ,

Type of [typeinfo]

Request:

Record(s) 1. Copies of ALL electronic text messages, instant messages, and any other form of
Requested: electronic communication sent and/or received, including any and all "group" messages
Case / sent and/or received by more than one of the following listed individuals, during the
Incident School Committee meeting scheduled for October 21, 2020, from the time the meeting
Number started on 10/21/2020 until it was officially adjourned on Thursday, October 22, 2020,
Date or between and among each and all of the following: Superintendent Brenda Cassellius
Date SC Chair Michael Loconto SC Members: Lorna Rivera Jeri Robinson Michael O'Neil
Range of Alexandra Oliver-Davila Hardin LK Coleman Quoc Tran 2. List of students who currently
Record(s) comprise the applicant pool for incoming school year 2021/2022 for the three exam
Location / schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School), de-
Address of identified and sorted by GPA. 3. All of the Grade Point Averages sorted by Zip Code of
Incident the students, de-identified, who currently comprise the applicant pool for incoming
school year 2021/2022 for the three exam schools (Boston Latin School, Boston Latin
Academy, John D O'Bryant School). Please provide the list by zip code. For example:
Zip Code 02122: List all the GPA's of the de-identified students currently comprising the
applicant pool who reside in Zip Code 02122. Zip Code 02126: List all the GPA's of the
de-identified students currently comprising the applicant pool who reside in Zip Code
02126. And so on until every Zip Code in the City of Boston is included in the response,
including Zip Codes for which there are no applicants in the pool and Zip Codes in
which there are fewer than 10. 4. Written transcript of the entire School Committee
meeting held on October 21, 2020 which adjourned on Thursday, October 22, 2020. 5.
Written transcript of the entire School Committee meeting held on October 8, 2020.

7/5/2021

Boston Public Schools Mail - [GovQA] New Assignment - R000337-022321

[CASE_NUMBER]

[DATE_RANGE]

[LOC_ADDRESS]

To access the request, please access the Boston Public Records Center

This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY.

GovQA

ATTACHMENT M



BOSTON PUBLIC SCHOOLS
OFFICE OF LEGAL ADVISOR
Martin J. Walsh, Mayor

3/9/21

RE: PUBLIC RECORDS REQUEST of February 23, 2021

Reference #:

#R000337-022321

Dear Ms. Murphy:

The City of Boston (City) has received your request for public records. This response applies only to records that exist and are in the custody of the City. *See A Guide to the Massachusetts Public Records Law*, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Below, please find your specific requests and BPS's responses in blue.

1. *Copies of ALL electronic text messages, instant messages, and any other form of electronic communication sent and/or received, including any and all "group" messages sent and/or received by more than one of the following listed individuals, during the School Committee meeting scheduled for October 21, 2020, from the time the meeting started on 10/21/2020 until it was officially adjourned on Thursday, October 22, 2020, between and among each and all of the following: Superintendent Brenda Cassellius SC Chair Michael Loconto SC Members: Lorna Rivera Jeri Robinson Michael O'Neil Alexandra Oliver-Davila Hardin LK Coleman Quoc Tran.*

Records responsive to request 1 may be found [here](#).

2. *List of students who currently comprise the applicant pool for incoming school year 2021/2022 for the three exam schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School), de-identified and sorted by GPA.*

There are no records responsive to request 2.

3. *All of the Grade Point Averages sorted by Zip Code of the students, de-identified, who currently comprise the applicant pool for incoming school year 2021/2022 for the three exam schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School). Please provide the list by zip code. For example: Zip Code 02122: List all the GPA's of the de-identified students currently comprising the applicant pool who reside in Zip Code 02122. Zip Code 02126: List all the GPA's of the de-identified students currently comprising the applicant pool who reside in Zip Code 02126. And so on until every Zip Code in the City of Boston is included in the response, including Zip Codes for which there are no applicants in the pool and Zip Codes in which there are fewer than 10.*

There are no records responsive to request 3.

4. *Written transcript of the entire School Committee meeting held on October 21, 2020 which adjourned on Thursday, October 22, 2020.*

There are no records responsive to request 4.


5. *Written transcript of the entire School Committee meeting held on October 8, 2020.*

There are no records responsive to request 5.

Conclusion

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G.L. c. 66, § 10A (c); G.L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

Sincerely,



Catherine Lizotte
Legal Advisor
(617) 635-9250

ATTACHMENT N

(Text messages presented in italics)

Transcription of Text Messages Responsive to Public Records Request (R000876-102720)

Wednesday, October 21, 2020

5:46 p.m.

"SA" and Lorna Rivera (LR)

SA - Lorna, as a member of the Exam School Working Group, thanks for your support. *Mil gracias licenciada.*

LR - Your efforts made this possible! *Mil gracias!*

SA - A la orden siempre, Lorna.

LR - *Iguamente! (emoji smiley face)*

[time?]

Lorna Rivera (LR) and Alexandra Oliver-Davila (AOD)

AOD - Sure! Hi by law Chair sets agenda and we can't vote on anything Superintendent hasn't had a chance to respond to. He suggest talking to ML and asking him to add to the agenda for next time. We have 170 people speaking tonight so honestly this is probably not the best time to do it even if we could.

LR - Ok wow 170!?! I don't know if I will be able to stay awake. I am too old for this job.

LR - Hi I calculated 170 people *3=510/60 min=8.5 hours. Is this for real? Can't we end at a certain time? Are we allowed to take breaks? I am sorry to complain.

AOD - Yup it's real. 2 min each but will be a very long mtg

AOD - I think take breaks as you need them.

AOD - Best sc meeting ever I am trying not to cry

LR - Me too!

LR - Why can't we get interpretation/translation right? Why does language access have to be so hard?

AOD - When I was on the meeting that explained the proposed policy people got to choose to go into a room to get the whole meeting translated - at least that is how I understood it

LR - Should I ask Dr. C what the heck?

AOD - Sure you can text her.

[time?]

Lorna Rivera (LR) and Brenda Cassellius (BC)

(Text messages presented in italics)

LR - Hi why is interpretation a continuing problem for some of our communities? I hope we can improve.

BC - We had Cantonese and I just asked Monica. This is the purview out the Committee. I suggested to Monica that if we have over a certain number of participants that we automatically default to all 10 languages but I think to provide it for SC it requires them to request it. Maybe bring it up to Mike.

BC - I can change for my team though!

LR - I will. I know there is so much going on. I really do appreciate your hardwork!

BC - [screenshot of Gchat from staff member that reads, "I believe SC only requests interpreters for public comment based on who signs up for public comment. It would be good to revisit that decision."]

LR - Thanks!

[time?]

Lorna Rivera (LR) and Alexandra Oliver-Davila (AOD)

[time?]

AOD - I still stand by my statement.

LR - I said BPS students should get preference and stand by this.

AOD - Oh then it was both of us!

AOD - What did I just miss? Was that ML saying Shannana and booboo??? My ADD is killing me here!

LR - I think he was making fun of the Chinese names! Hot mic!!!

AOD - That's what I thought. Omfg he's gonna get killed someone is going to go back and capture that

LR - I almost laughed out loud. Getting giddy here!

Someone already captured Brenda on cell in twitter (?)!

AOD - I've been getting some funny tweets tonight it's hard not to smile or laugh.

Yikes.

LR -Dios mia!!

AOD - No comment

LR - People tweeting about loconto hot mic!!

Anissa said WTF!

AOD- Oh no! It's gonna be ugly

(Text messages presented in italics)

LR - Someone texted me Loconto should resign, but I don't have them in my contacts

AOD - Oh boy How/where do I look on Twitter - sorry I'm old I'm not good at twitter

LR - Send me your handle and I will forward some

Or look up Anissa tweets

AOD - Alexoliver 33

Do we acknowledge the apology? What do we do??

LR - Did you see some of the tweets? I feel bad for loconto. Is he going to resign??

AOD - I feel bad too because he really was the person who pushed this forward with the Mayor

Idk if he will do it or not

AOD - I am not going to interrupt (?) him! Let him have his time. He needs it.

LR - Trying to redeem himself - [winking emoji]

Good night!

AOD - Good night.

LR - Good morning, actually!

Wednesday, October 21, 2020

10:34 p.m.

Lorna Rivera (LR) and Michael Loconto (ML)

LR - Hi can you tell me how many more people left to testify? I couldn't find the spreadsheet in google

ML - 77 to go, many falling off

[time?]

LR - Hi can you tell me if angie camacho is on the list and what number?

ML - yes she is #168, we are on 145

LR - Thanks.

[time?]

Michael Loconto (ML) and Alexandra Oliver-Davila (AOD)

ML- Do I need to worry about my non-sequitur earlier? I feel awful, I've been getting texts about it from Michael and Brenda.

(Text messages presented in italics)

AOD - *I heard [end] and not whole thing. I think Anissa commented on it. I think be prepared just in case I'm sorry this all stinks!*

ML - *Ugh*

Jeez

On twitter?

AOD - *I know.*

I'm sorry.

Yes.

ML - *Oh God no*

I don't know what to do

AOD - *I think just again apologize. What does MO suggest?*

ML - *Asking*

AOD - *I think that was good*

ML - *Jesus I am mortified*

AOD - *I know I'm very sorry*

Do you want me to acknowledge your apology and say thanks or just leave it alone?

ML - *I don't know*

Wednesday, October 21, 2020

6:00 p.m.

"Marty" [Boston Mayor Marty Walsh] (MW) and Jeri Robinson (JR)

MW - *Good luck*

JR - *Glad we're remote. Lots of passion. Wish there was as much passion and concern for the rest of our 52,000 students and 122 schools and not just the select three.*

Marty - *I agree with you.*

[time?]

Jeri Robinson (JR) and Alexandra Oliver-Davila (AOD)

JR - *Yes*

6:27 p.m.

(Text messages presented in italics)

AOD – *What a great (unclear) totally trying not to cry, best meeting ever.*

JR – *So true. So proud of the Mayor*

AOD – *Me too, but we need to push because he said it was one year in his comments – we should call him and thank him so he knows where we stand.*

JR – *True. I did text and thank him at the conclusion of his remarks.*

AOD – *That's great.*

6:53 p.m.

Sonia Barney Gomez (SBG), Josette Williams (JR) and Jeri Robinson (JR)

SBG – *Jeri how excited I'm for you. This is like doing the impossible. Waiting for the vote.*

JR – *Yes. Amazing what can happen during a pandemic. There are over 800 folks watching. Wish there was as much concern about all of our kids and schools.*

SBG – *Yes. Baby steps. I believe this is historic. I'm hoping community partners come in to support students to make sure our students succeed*

JW – *I'm holding on. Either way, folks are really showing their true colors!!! This city is never ready for real change but time has come.*

SBG – *I just told Monica we need to start scheduling our community meetings to make sure we have parent voices to [unclear] the changes permanent for next year.*

10:05 p.m.

Jeri Robinson (JR) and Michael Loconto (ML)

JR – *what number are we up to?*

ML – *84. People starting to drop off now.*

11:00 p.m.

"SA" and Jeri Robinson (JR)

SA – *How are you holding out Jeri. Looking pretty tired...*

JR – *I am. We still have about 70 speakers.*

SA – *that's 2 plus hours by my reckoning.*

JR – *Tulane [sic?] without our vote, so about 2 am.*

JR – *Some folks are dropping off, let's hope more do.*

(Text messages presented in italics)

Wednesday, October 21, 2020

[time?]

Alexandra Oliver-Davila (AOD) and Brenda Cassellius (BC)

AOD - Best meeting ever. Trying not to cry. What a great letter.

BC - Yup. I asked him to write it and I asked Tanisha to read it. Powerful.

AOD - Great idea!

6:28 p.m.

BC - Speak it.

AOD - Amen!

Wednesday, October 21, 2020

5:27 p.m.

Michael O'Neill (MON) and Michael Loconto (ML)

MON - You should mention Khymani was on the national student panel last week.

ML - [thumbs up emoji]

MON - He was excellent and made us BPS Proud.

ML - [thumbs up emoji]

[time?]

MON - What the heck was your last comment/your mic was on. Hope you were talking to your daughter about a bedtime book. Sha boo. Boo boo boo?

ML - Geez I'm sorry I was talking to my wife about a kid's book

MON - Thought so, but it came out real weird!

ML - Should I address?

MON - You did it right.

ML - I'm mortified if someone took it another way, Brenda mentioned it too and said someone else texted her about it

MON - It was right after Liz read a bunch of names, could have been interpreted that you were commenting on the names. I knew you would never do that, assumed one of your daughters was saying good night. Glad you cleared it up right away. Don't worry about it any more.

(Text messages presented in italics)

MON - *How far along are we?*

ML - *Ok thanks. I realized that after I got the text. I feel awful.*

ML - *We are on 159. 20 to go.*

MON - *You corrected very quickly. Regular watchers know your daughters always say goodnight to you.*

ML - *Anissa tweeting about it. I don't know what to do*

ML - *Am I ok? I hope I put that to bed.*

MON - *Please put me last, before VC and you, but after the other members.*

ML - *Of course, assumed as much.*

MON - *Let's vote!*

6 43 p.m.

Michael O'Neill (MON) and Khymani James (KJ) (student member)

KJ - *Are you comfortable on the logistics behind transferring elementary school grades to letter grades? I'm confused on that part and don't want to ask publicly if I can get a behind the scenes answer.*

MON - *I suggested last week and will suggest again tonight they bring in a 3rd party to oversee/work with BPS on the process. They do have a method to convert BPS grades to a 12 point system, based on the specific 1-4 grades in certain subjects. They have had to do it for years as GPA is already 50% of the criteria. But I would prefer independent oversight to build trust.*

KJ - *Ahhh I see*

Thursday, October 22, 2020

12 29 a.m.

MON - *Well done. Very well done.*

KJ - *Thank you, Mr. O'Neill.*

Wednesday, October 21, 2020

Michael O'Neill (MON) and Brenda Cassellius (BC)

11 31 p.m.

BC - *Yikes.*

Thursday, October 22, 2020

1 47 a.m.

(Text messages presented in italics)

BC - *Remember I talked about that in my interview.*

MON - *(thumbs up sign)*

BC - *Thank you.*

MON - *(thumbs up sign)*

MON - *Congrats.*

Wednesday, October 21, 2020

6:19 p.m.

Khymani James (KJ) and Alexandra Oliver-Davila (AOD)

AOD - *Great points. Thank you for message to fellow students. Sooo important!*

KJ - *Thank you, Ms. Oliver-Davila!!!*

AOD - *You are welcome! Keep asking your great questions!*

KJ - *Quick question. Is what is being voted on tonight called a "proposal" or a "policy"*

AOD - *proposed policy*

KJ - *Thank you!*

AOD - *Sure!*

11:19 p.m.

KJ - *Wow -I had to turn my camera off because of my facials.*

AOD - *That's a great strategy!*

AOD - *You are a trooper staying late!*

KJ - *Thanks Vice Chair. Trying my best to pull through!*

AOD - *Also you can leave! Everyone will understand because you have school tomorrow - past BSAC members have left around 9 pm*

KJ - *Yes, I am aware! Thank you - I told myself at the beginning of the year that I would attend all hours of the meeting since they're so important and only every other week.*

AOD - *You are a trooper! Hope your teachers give you a break on Thursday mornings*

KJ - *Me too! [smiling emoji]*

ATTACHMENT O

Subject: City of Boston Public Records Office City Public Records Request :: R000275-021221
Body:



BOSTON PUBLIC SCHOOLS OFFICE OF LEGAL ADVISOR
Martin J. Walsh, Mayor

03/22/2021

RE: PUBLIC RECORDS REQUEST of February 12, 2021, Reference # R000275-021221

Dear Darragh:

The Boston Public Schools (City) submits this response to your request for public records. This response applies only to records that exist and are in the custody of the City. See A Guide to the Massachusetts Public Records Law, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Specifically, you stated:

- 1. List of students who are in the applicant pool for the three exam schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School) for the school year 2021/2022, de-identified and sorted by zip code of residence.*
- 2. List of students who applied for inclusion in the applicant pool to the three exam schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School) for the school year 2021/2022, de-identified and sorted by zip code of residence.*

There are no records that exist that are responsive to your request. Please note that the public records law does not require a municipal agency to create a record in response to a request.

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G. L. c. 66, § 10A (c); G. L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

Sincerely,

Legal Advisor
Boston Public Schools

ATTACHMENT P

Friday, November 20, 2020

Shawn Williams, Director of Public Records
Records Access Officer
City of Boston
1 CITY HALL SQUARE
ROOM 615
BOSTON, MA 02201
617-635-4037
shawn.williams@boston.gov
publicrecords@boston.gov

Dear RCO Williams:

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10). I am requesting that I be provided a copy of each record pertinent to your responses to the inquiries as in the Appendix.

Such requested records include, but are not limited to, information, data, data models, and algorithms from the following Boston Public Schools (BPS) internal departments, e.g., Office of the Superintendent, Office of Data & Accountability, and Office of Exam Schools & AWC.

To expedite the process, specific people from above mentioned departments who may retain our requested records are listed below:

1. Monica Roberts, Chief of Student, Family & Community Advancement
2. Monica Hogan, Interim Executive Director, Office of Data & Accountability at 617-635-9450 (phone) 617-635-941 (fax) rc069@bostonpublicschools.org (e-mail)
3. Maria Vieira, Office of Exam Schools & AWC

I recognize that you may charge reasonable costs for copies, as well as for personnel time needed to comply with this request.

The Public Records Law requires you to provide me with a written response within 10 business days. If you cannot comply with my request, you are statutorily required to provide an explanation in writing. Otherwise, we look forward to receiving a written response with our requested record by December 1, 2020.

Regards

Boston Parent Coalition for Academic Excellence

bpcaema@gmail.com

617-903-2468

Appendix

1. In the SY20 Budget (Exhibit A), if there is a "one year only" suspension of the MAP Test, how will the \$364,000 budgeted for the SY20 annual exam school administration be spent? Will that budget line for exam administration move to SY2021? Which office "owns" that number?
2. On October 21, 6:21 PM, Chief Monica Robert's and Monica Hogan of BPS's Office of Accountability and Data cited "simulations run" (sic) regarding how zip code rounds would be allocated (Exhibit B - Slide titled: Misinformation: Limited Access to each exam school, bullet points 2-4), which are the factual studies/statistical tabulations used as the basis to support the BPS School Committee's new exam school policy position ("BPS Simulation Model"). Please provide the input data used in preparing these simulations in an Excel sheet. Please provide an electronic copy of the BPS Simulation Model (eg: Excel, SPSS, etc).
 - a. Please provide 3 years of counts of applicants, invited, and enrolled students for each exam school, grouped by the following data attributes:
 - i. Zip code
 - ii. Race
 - iii. GPA – if simulation GPA approach differs from
 - iv. Applicant exam school preference choice
 - v. Applicant invited school
 - vi. Applicant enrollment

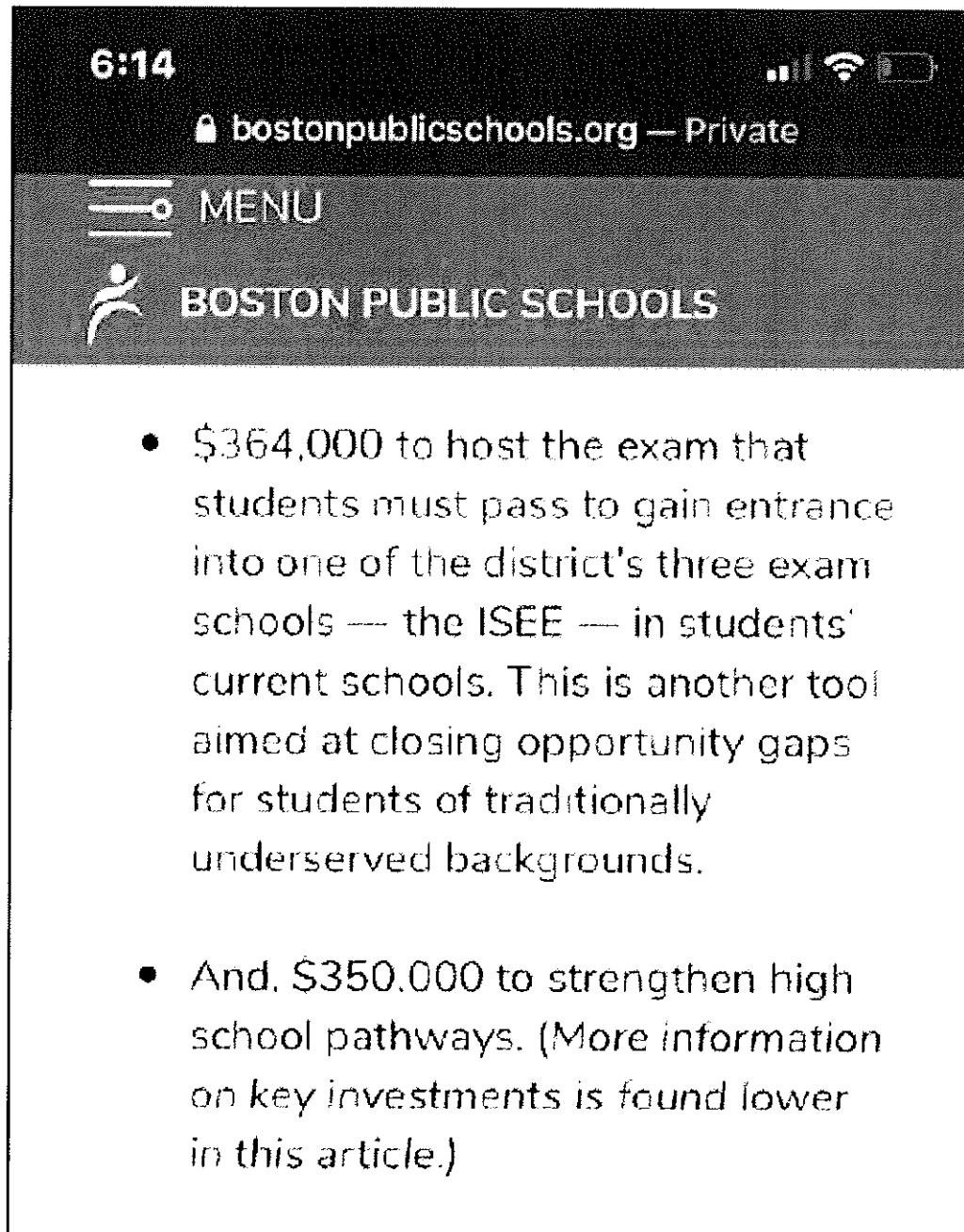
Exhibit C is a template of this requested information.

- b. Please provide the following attributes per zip code:
 - i. Number of school aged children in each zip code
 - ii. Number of children in the 6th, 8th, and 9th grade in each zip code
 - iii. Median income in the each zip code
 - iv. Median income in the each zip code for families with children under the age of 18
- c. Please provide the approach to convert report card into the GPA used in this simulation.

- i. How do letter grades and number grades convert to GPA?
 - ii. Which class names count as ELA? Which class names count as Math?
 - iii. If there are multiple ELA classes, how is a single ELA GPA created (eg: weighted average, simple average, min, max)? If there are multiple math classes, how is a single math GPA created (eg: weighted average, simple average, min, max)?
 - iv. Which grading period is used? If there are multiple grading periods how is a single GPA calculated (eg: weighted average, simple average, min, max, earliest, latest)?
 - v. In response to the discussion that different schools may have different grading standards, please provide the count of students with each calculated GPA, by applicant school and by race for the past 3 years. Exhibit D is a template for providing this requested information.
 - vi. Did this calculation change from the GPA that was previously used in the exam school entrance criteria? If so please provide the above responses for the prior approach, the new approach, and any other approaches that were simulated.
- d. If a student was in the top 20% but placed in a school other than their first choice, will they have an opportunity to be reconsidered for their first choice in the 80% zip code rounds? If so what will happen to that zip code's seat in that 80% round, will it be given to another applicant in the zip code?
- e. How many seats are available per school, and in the first 20% how many of those seats at each school were assigned to students from each zip code in the BPS Simulation Model.
- f. For the 80% allocated by zip code, **before 10 the rounds start**, is there a finite number of allocated seats at each school for each zip code? Or when each student's spot comes up in the zip code rounds, do they get their highest preference from any school with an available seat?
- g. What happens in the zip code rounds for a zip code that has such a small number of school-aged children that it qualifies for under 1 seat?

Exhibit A

Exhibit A



In simulations run, more students whose first choice school was BLS had a perfect GPA than seats available at BLS in the top 20%. However, all students with a perfect GPA received an invitation to their first choice school in all simulations run.

Exhibit C

Applicant (Dorm/Identified) Cohort				Applicant Preference (1, 2, 3)			Applicant Invitation (0, 1)			Applicant Enrollment (0, 1)		
Residential	Race	Actual GPA	Calc	B-5	B-4	OB	B-5	B-4	OB	B-5	B-4	OB

2017-18 Applicants: 1000+ High Applicants: 100-150 Accepted: 100

Exhibit D

Applicant's current middle school		Applicant (Deidentified) Data		
BPS/Non-BPS	School Name	Race	Actual GPA	BPS GPA Calc.
2017-18 applicants		2018-19 applicants		
		2019-20 applicants		

ATTACHMENT Q



BOSTON PUBLIC SCHOOLS
OFFICE OF LEGAL ADVISOR
Martin J. Walsh, Mayor

January 13, 2021

Boston Parent Coalition for Academic Excellence
bpcaema@gmail.com

Re: November 20, 2020 Public Records Request

Dear Boston Parent Coalition for Academic Excellence:

The Boston Public Schools ("BPS") has received your request for public records. This response applies only to records that exist and are in the custody of the City. See A Guide to the Massachusetts Public Records Law, p. 32, n.115. A custodian is not required to create a new record or analysis that does not currently exist. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Below please see your requests and BPS's responses in blue:

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10). I am requesting that I be provided a copy of each record pertinent to your responses to the inquiries as in the Appendix. Such requested records include, but are not limited to, information, data, data models, and algorithms from the following Boston Public Schools (BPS) internal departments, e.g., Office of the Superintendent, Office of Data & Accountability, and Office of Exam Schools & AWC. To expedite the process, specific people from above mentioned departments who may retain our requested records are listed below: 1. Monica Roberts, Chief of Student, Family & Community Advancement 2. Monica Hogan, Interim Executive Director, Office of Data & Accountability at 617-635-9450 (phone) 617-635-941 (fax) rc069@bostonpublicschools.org (e-mail) 3. Maria Vieira, Office of Exam Schools & AWC.

1. In the SY20 Budget (Exhibit A) if there is a "one year only" suspension of the MAP test, how will the \$364,000 budgeted for the SY20 annual exam school administration be spent? How will that budget line for exam administration move to SY2021? Which office "owns" that number?

Request 1 seeks an answer to a question rather than records. The public records law applies only

to records.

2. On October 21, 6:21 PM, Chief Monica Robert's and Monica Hogan of BPS's Office of Accountability and Data cited "simulations run" (sic) regarding how zip code rounds would be allocated (Exhibit B - Slide titled: Misinformation: Limited Access to each exam school, bullet points 2-4), which are the factual studies/statistical tabulations used as the basis to support the BPS School Committee's new exam school policy position ("BPS Simulation Model"). Please provide the input data used in preparing these simulations in an Excel sheet. Please provide an electronic copy of the BPS Simulation Model (eg: Excel, SPSS, etc).

BPS is still working on this portion of your request.

a. Please provide 3 years of counts of applicants, invited, and enrolled students for each exam school, grouped by the following data attributes:

- i. Zip code*
- ii. Race*
- iii. GPA - if simulation GPA approach differs from*
- iv. Applicant exam school preference choice*
- v. Applicant invited school*
- vi. Applicant enrollment*

b. Please provide the following attributes per zip code:

- i. Number of school aged children in each zip code*
- ii. Number of children in the 6th, 8th , and 9th grade in each zip code*
- iii. Median income in the each zip code*
- iv. Median income in the each zip code for families with children under the age of 18*

Records responsive to request 2a may be found [here](#). Please note that the data provided is a data set responsive to similar requests. BPS has not created a data set specifically for this request.

Records responsive to request 2b may be found [here](#).

c. Please provide the approach to convert report card into the GPA used in this simulation.

Records responsive to request 2c may be found [here](#).

- i. How do letter grades and number grades convert to GPA?*
- ii. Which class names count as ELA? Which class names count as Math?*
- iii. If there are multiple ELA classes, how is a single ELA GPA created (eg: weighted average, simple average, min, max)? If there are multiple math classes, how is a single math GPA created (eg: weighted average, simple average, min, max)?*
- iv. Which grading period is used? If there are multiple grading periods how is a single GPA calculated (eg: weighted average, simple average, min, max, earliest, latest)?*

v. *In response to the discussion that different schools may have different grading standards, please provide the count of students with each calculated GPA, by applicant school and by race for the past 3 years. Exhibit D is a template for providing this requested information.*

vi. *Did this calculation change from the GPA that was previously used in the exam school entrance criteria? If so please provide the above responses for the prior approach, the new approach, and any other approaches that were simulated.*

Requests 2ci, ii, iii, iv & vi seek answers to questions rather than records. The public records law applies only to records. Request 2cv is addressed by the response to requests 2a and 2b.

d. *If a student was in the top 20% but placed in a school other than their first choice, will they have an opportunity to be reconsidered for their first choice in the 80% zip code rounds? If so what will happen to that zip code's seat in that 80% round, will it be given to another applicant in the zip code?*

Request 2d seeks an answer to a question rather than records. The public records law applies only to records.

e. *How many seats are available per school, and in the first 20% how many of those seats at each school were assigned to students from each zip code in the BPS Simulation Model.*

The number of invitations sent varies year to year, based on space available. For SY20-21 admissions in 7th grade, 484 invitations were sent for BLS (20% = 97); 336 were sent for BLA (20% = 67); 205 were sent for O'Bryant (20% = 41).

f. *For the 80% allocated by zip code, before 10 the rounds start, is there a finite number of allocated seats at each school for each zip code? Or when each student's spot comes up in the zip code rounds, do they get their highest preference from any school with an available seat?*

Request 2f seeks an answer to a question rather than records. The public records law applies only to records.

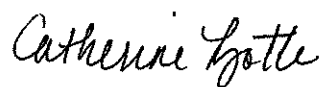
g. *What happens in the zip code rounds for a zip code that has such a small number of school-aged children that it qualifies for under 1 seat?*

Request 2g seeks an answer to a question rather than records. The public records law applies only to records.

Conclusion

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G.L. c. 66, § 10A (c); G.L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

Sincerely,

A handwritten signature in black ink that reads "Catherine Lizotte". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Catherine Lizotte

Legal Advisor

(617) 635-9250

clizotte@bostonpublicschools.org

ATTACHMENT R

7/4/2021

Boston Public Schools Mail - Fwd: Request for Public Records



Lizotte, Catherine <clizotte@bostonpublicschools.org>

Fwd: Request for Public Records

2 messages

Catherine Lizotte <catherine.lizotte@boston.gov>
 To: clizotte@bostonpublicschools.org

Fri, Feb 12, 2021 at 2:43 PM



Catherine Lizotte
 Senior Assistant Corporation Counsel
 City of Boston Law Department
 Boston City Hall, Room 615
 Boston, MA 02201
 617-635-3215
 catherine.lizotte@boston.gov

The information contained in this electronic transmission ("e-mail"), including any attachment (the "Information"), may be confidential or otherwise exempt from disclosure. It is for the addressee only. ***This Information may be privileged and confidential attorney work-product or a privileged and confidential attorney-client communication.*** The Information may also be deliberative and pre-decisional in nature. As such, it is for internal use only. The Information may not be disclosed without the prior written consent of the Corporation Counsel of the City of Boston. If you have received this e-mail by mistake, please notify the sender and delete it from your system. Please do not copy or forward it. Thank you for your cooperation.

----- Forwarded message -----

From: **BPCA MA** <bpcama@gmail.com>
 Date: Fri, Feb 12, 2021 at 12:47 PM
 Subject: Request for Public Records
 To: Public Records <publicrecords@boston.gov>
 Cc: Shawn Williams <shawn.williams@boston.gov>, <pre@sec.state.ma.us>, <catherine.lizotte@boston.gov>

Friday, February 12, 2021
 Shawn Williams, Director of Public Records
 Records Access Officer
 City of Boston
 1 CITY HALL SQUARE
 ROOM 615
 BOSTON, MA 02201
 617-635-4037
 shawn.williams@boston.gov

7/4/2021

Boston Public Schools Mail - Fwd: Request for Public Records

publicrecords@boston.gov

Dear RCO Williams:

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10). We are requesting that we be provided a copy of the following records:

Please provide the total number of applicants sorted by zip code for the current Fall 2021 Boston Exam Schools Admissions cycle.

To expedite the process, specific people from BPS departments who may retain our requested records are listed below:

1. Monica Roberts, Chief of Student, Family & Community Advancement
2. Monica Hogan, Interim Executive Director, Office of Data & Accountability at 617-635-9450 (phone) 617-635-941 (fax) rc069@bostonpublicschools.org (e-mail)
3. Maria Vieira, Office of Exam Schools & AWC

We recognize that you may charge reasonable costs for copies, as well as for personnel time needed to comply with this request.

The Public Records Law requires you to provide us with a written response within 10 business days. If you cannot comply with our request, you are statutorily required to provide an explanation in writing. Otherwise, we look forward to receiving a written response with our requested record by Thursday, February 25, 2021.

Regards

Boston Parent Coalition for Academic Excellence ("BPCAE")

bpcama@gmail.com
617-903-2468

Lizotte, Catherine <clizotte@bostonpublicschools.org>

Fri, Feb 12, 2021 at 2:53 PM

To: Monica Hogan <mhogan2@bostonpublicschools.org>, Monica Roberts <mroberts@bostonpublicschools.org>

Cc: "McCarley, Devon" <dmccarley@bostonpublicschools.org>, Jonathan Palumbo <jpalumbo@bostonpublicschools.org>

Hi all,

A new request. This group also just requested transcripts of the October 8th and 21st SC meetings today and they have a GoFundMe page to raise \$20K.

[Quoted text hidden]

--

Catherine Lizotte

Legal Advisor

Office of the Legal Advisor | Boston Public Schools

2300 Washington Street, Boston MA 02119

clizotte@bostonpublicschools.org | 617-635-9250

The information contained in this electronic transmission ("e-mail"), including any attachment ("Information"), may be confidential or otherwise exempt from disclosure. It is for the addressee only. This information may be privileged and confidential attorney work-product or a privileged and confidential attorney-client communication. The information may also be deliberative in nature. As such, it is for internal use only. If you have received this e-mail by mistake, please notify the sender and delete it from your system. Please do not copy or forward it. Thank you for your cooperation.

ATTACHMENT S

Subject: City of Boston Public Records Office City Public Records Request :: R000279-021221
Body:



BOSTON PUBLIC SCHOOLS OFFICE OF LEGAL ADVISOR

Martin J. Walsh, Mayor

03/22/2021

RE: PUBLIC RECORDS REQUEST of February 12, 2021, Reference # R000279-021221

Dear Boston Parent Coalition for Academic Excellence:

The Boston Public Schools (City) submits this response to your request for public records. This response applies only to records that exist and are in the custody of the City. See A Guide to the Massachusetts Public Records Law, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Specifically, you stated:

We are requesting that we be provided a copy of the following records:

Please provide the total number of applicants sorted by zip code for the current Fall 2021 Boston Exam Schools Admissions cycle.

To expedite the process, specific people from BPS departments who may retain our requested records are listed below:

1. Monica Roberts, Chief of Student, Family & Community Advancement

2. Monica Hogan, Interim Executive Director, Office of Data & Accountability at 617-635-9450 (phone) 617-635-941 (fax)
 rc069@bostonpublicschools.org (e-mail)

3. Maria Vieira, Office of Exam Schools & AWC

We recognize that you may charge reasonable costs for copies, as well as for personnel time needed to comply with this request.

The Public Records Law requires you to provide us with a written response within 10 business days. If you cannot comply with our request, you are statutorily required to provide an explanation in writing. Otherwise, we look forward to receiving a written response with our requested record by Thursday, February 25, 2021.

Regards

Boston Parent Coalition for Academic Excellence ("BPCA")

bpcama@gmail.com
 617-903-2468

A record does not exist that is responsive to your request. Please note that the public records law does not require a municipal agency to create a record in response to a request.

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G. L. c. 66, § 10A (c); G. L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

Sincerely,

Catherine Lytle

7/4/21, 10:03 PM

Legal Advisor
Boston Public Schools

ATTACHMENT T

Wednesday, June 23, 2021

Shawn Williams, Director of Public Records
Records Access Officer
City of Boston
1 CITY HALL SQUARE
ROOM 615
BOSTON, MA 02201
617-635-4037
shawn.williams@boston.gov
publicrecords@boston.gov

Dear RCO Williams:

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10). We are requesting that we be provided a copy of each record pertinent to your responses to the inquiries as in the Appendix.

Such requested records include, but are not limited to, information, data, data models, and algorithms from the following Boston Public Schools (BPS) internal departments, e.g., Office of the Superintendent, Office of Data & Accountability, and Office of Exam Schools & AWC.

To expedite the process, specific people from above mentioned departments who may retain our requested records are listed below:

1. Monica Roberts, Chief of Student, Family & Community Advancement
2. Monica Hogan, Interim Executive Director, Office of Data & Accountability at 617-635-9450 (phone) 617-635-941 (fax) rc069@bostonpublicschools.org (e-mail)
3. Maria Viera, Office of Exam Schools & AWC

We recognize that you may charge reasonable costs for copies, as well as for personnel time needed to comply with this request.

The Public Records Law requires you to provide me with a written response within 10 business days. If you cannot comply with my request, you are statutorily required to provide an explanation in writing. Otherwise, we look forward to receiving a written response with our requested record by July 3, 2021.

Regards

Boston Parent Coalition for Academic Excellence ("BPCAE")

bpcaema@gmail.com
617-903-2468

Appendix

BPCAE requests production of all documents (excluding personally identifying information) concerning the data base and selection process the City of Boston used in the most recent SY 21-22 admissions cycle for the BPS exam schools namely: Boston Latin School, Boston Latin Academy, John D O'Bryant School of Math and Science.

This request explicitly includes, but is not limited to the following:

1. For each student in the 53# Invites in the DCF/ Homeless pool, documents concerning:
 - a. Each student's Grade Point of Average.
 - b. Each student's MCAS scores (ELA and Math).
 - c. Each student's Zip Code residency as of the application date.
 - d. Each student's city-wide ranking.
 - e. Each student's race / ethnicity.
2. Documents concerning the written criteria to be admitted to the DCF/ Homeless pool of applicants.
3. Documents concerning the authorizing person who approved the applicants for the DCF/Homeless pool.
4. For each individual Zip Code, documents concerning:
 - a. The Grade Point Averages and MCAS scores (ELA and Math) for all Invited and all Uninvited applicants to the Exam Schools.
 - b. The city-wide ranking determined by BPS for all Invited and all Uninvited applicants to the Exam Schools.
 - c. The zip-code rank determined by BPS for all Invited and all Uninvited applicants to the Exam Schools
 - d. The race/ ethnicity of each Invited and each Uninvited applicant to the Exam Schools.
5. Documents sufficient to provide a detailed description/ flow chart of the Exam School Admissions process including the role of the third-party vendor.
6. Documents sufficient to identify the third-party vendor who reviewed and approved the lottery and the admissions process, including but not limited to documents concerning the contract signed between BPS and the vendor, and documents showing the total amount paid to the vendor.
7. Documents concerning any competitive bid process related to the contract for the third-party vendor, including but not limited to documents concerning the other vendors who submitted bids , and all documents concerning those bids.
8. All documents concerning the lottery process, including but not limited to how it was conducted, whether there were same GPA for multiple applicants, who authorized and

approved the results of lottery, were there multiple rounds of the lottery done, and the best round chosen or was the lottery done only once.

- 9.** All text messages exchanged between and/or among Student representative Khymani James and each and every member of Boston School Committee and with each and every member of the Task force during the October-8, 2020 meeting and October-21, 2020 meeting.
- 10.** All text messages exchanged between and/or among Superintendent Brenda Cassellius and each and every member of Boston School Committee and with each and every member of Task force during the October-8, 2020 meeting and October-21, 2020 meeting.
- 11.** All text messages exchanged between and/or among Mayor Marty Walsh and each and every member of Boston School Committee and with each and every member of Task force during the October-8, 2020 meeting and October-21, 2020 meeting.
- 12.** All text messages exchanged between or among Boston School Committee members and each and every Task Force member during the October-8, 2020 and October-21, 2020 meeting.
- 13.** All Zoom chat messages (public and private messages) between and/or among any and all Boston School committee members including the student representative Khymani James and each and every Task force member during the October-8, 2020 and October-21, 2020 meeting.
- 14.** Documents concerning the GPA for every applicant towards the SY 21-22 exam schools and their exam school preferences.

ATTACHMENT U

Kay Hodge

From: Stein, Callan G. <Callan.Stein@Troutman.com>
Sent: Wednesday, June 16, 2021 2:12 PM
To: Kay Hodge; John Simon
Cc: Hurd, William H.; Carlson, Chris W.; Metcalfe, Mary Grace
Subject: City of Boston Case
Attachments: Public_Records_Request_(R000876-102720)_-_Responsive_Text_Messages_-_Response_Date_11.5.20_-_Google_Docs.pdf; Response_to_D._Murphy_Request_3.9.21.pdf

Dear Kay and John:

I hope you have been well and are enjoying the summer weather.

I am writing to the two of you (and initially only the two of you) about the recent news that revealed that there were and are additional text messages by Boston School Committee members during the October 21 Boston School Committee meeting where the current Boston Exam School admission process was adopted that, though directly relevant to the matter at issue and responsive to our client's FOIA requests, were withheld by the City of Boston.

I specifically reference the FOIA requests that were made to the City of Boston Public Schools, and to which Attorney Lizotte responded on March 9, 2021. A copy of that response is attached for your convenience. Request #1 requests "ALL electronic text messages", among other things, sent or received by the school committee members. Ms. Lizotte's response states that all such records were produced. We have now learned that was not the case.

Compounding this problem are the further representations that you made, presumably at your clients' direction, to us and to the Court including in the Joint Statement of Facts that the text messages produced were "true and accurate" transcripts (Par. 67). Once again, we now know that the transcribed text messages were not true and accurate insofar as they omitted critical, responsive information.

The text messages that have recently come to light – and which, as you know, have resulted in two more resignations from the school committee – are directly relevant to this matter, and are materials that the District Court and the First Circuit should have considered. Moreover, had we been properly told that the City of Boston's FOIA response was not complete and that certain text messages had been withheld, we never would have agreed to proceed on the agreed upon record at the District Court level.

Upon this foundation, we have several questions/requests of you and your client to which we would appreciate urgent and immediate attention. They are:

1. Why were these text messages withheld from production in response to the FOIA request and during the District Court proceedings?
2. Why did your clients misrepresent to us and the District Court that the text message transcripts provided were "true and accurate" when they knew that was not the case?
3. What other information, texts or otherwise, has the City of Boston withheld?

Finally, and I think this goes without saying, it is incumbent upon the City of Boston to immediately update its previously sent, and incorrect, FOIA response – and in doing so include the improperly withheld text messages as well as any other information that should have been produced – and to correct its deliberate misrepresentation to the District Court. This is something that your client should have done without our requesting it, and I would ask that it do so immediately.

If you would like to discuss this, please let me know.

Callan G. Stein

Partner

Direct: 617.204.5103 | Internal: 815-5103

callan.stein@troutman.com

troutman pepper

19th Floor, High Street Tower, 125 High Street

Boston, MA 02110-2736

troutman.com

A HIGHER COMMITMENT TO CLIENT CARE

Troutman Pepper is a 2020 Mansfield Certified Plus Firm

This e-mail (and any attachments) from a law firm may contain legally privileged and confidential information solely for the intended recipient. If you received this message in error, please notify the sender and delete it. Any unauthorized reading, distribution, copying, or other use of this e-mail (and attachments) is strictly prohibited. We have taken precautions to minimize the risk of transmitting computer viruses, but you should scan attachments for viruses and other malicious threats; we are not liable for any loss or damage caused by viruses.

This email has been scanned for spam & viruses. If you believe this email should have been stopped by our filters, [click here](#) to report it.



BOSTON PUBLIC SCHOOLS
OFFICE OF LEGAL ADVISOR
Martin J. Walsh, Mayor

3/9/21

RE: PUBLIC RECORDS REQUEST of February 23, 2021

Reference #:

#R000337-022321

Dear Ms. Murphy:

The City of Boston (City) has received your request for public records. This response applies only to records that exist and are in the custody of the City. See A Guide to the Massachusetts Public Records Law, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Below, please find your specific requests and BPS's responses in blue.

- 1. Copies of ALL electronic text messages, instant messages, and any other form of electronic communication sent and/or received, including any and all "group" messages sent and/or received by more than one of the following listed individuals, during the School Committee meeting scheduled for October 21, 2020, from the time the meeting started on 10/21/2020 until it was officially adjourned on Thursday, October 22, 2020, between and among each and all of the following: Superintendent Brenda Cassellius SC Chair Michael Loconto SC Members: Lorna Rivera Jeri Robinson Michael O'Neil Alexandra Oliver-Davila Hardin LK Coleman Quoc Tran.*

Records responsive to request 1 may be found [here](#).

- 2. List of students who currently comprise the applicant pool for incoming school year 2021/2022 for the three exam schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School), de-identified and sorted by GPA.*

There are no records responsive to request 2.

3. *All of the Grade Point Averages sorted by Zip Code of the students, de-identified, who currently comprise the applicant pool for incoming school year 2021/2022 for the three exam schools (Boston Latin School, Boston Latin Academy, John D O'Bryant School). Please provide the list by zip code. For example: Zip Code 02122: List all the GPA's of the de-identified students currently comprising the applicant pool who reside in Zip Code 02122. Zip Code 02126: List all the GPA's of the de-identified students currently comprising the applicant pool who reside in Zip Code 02126. And so on until every Zip Code in the City of Boston is included in the response, including Zip Codes for which there are no applicants in the pool and Zip Codes in which there are fewer than 10.*

There are no records responsive to request 3.

4. *Written transcript of the entire School Committee meeting held on October 21, 2020 which adjourned on Thursday, October 22, 2020.*

There are no records responsive to request 4.


5. *Written transcript of the entire School Committee meeting held on October 8, 2020.*

There are no records responsive to request 5.

Conclusion

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G.L. c. 66, § 10A (c); G.L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

Sincerely,



Catherine Lizotte
Legal Advisor
(617) 635-9250

(Text messages presented in italics)

Transcription of Text Messages Responsive to Public Records Request (R000876-102720)

Wednesday, October 21, 2020

5:46 p.m.

"SA" and Lorna Rivera (LR)

SA - Lorna, as a member of the Exam School Working Group, thanks for your support. *Mil gracias licenciada.*

LR - *Your efforts made this possible! Mil gracias!*

SA - *A la orden siempre, Lorna.*

LR - *Iguamente! (emoji smiley face)*

[time?]

Lorna Rivera (LR) and Alexandra Oliver-Davila (AOD)

AOD - *Sure! Hi by law Chair sets agenda and we can't vote on anything Superintendent hasn't had a chance to respond to. He suggest talking to ML and asking him to add to the agenda for next time. We have 170 people speaking tonight so honestly this is probably not the best time to do it even if we could.*

LR - *Ok wow 170!?! I don't know if I will be able to stay awake. I am too old for this job.*

LR - *Hi I calculated 170 people *3=510/60 min=8.5 hours. Is this for real? Can't we end at a certain time? Are we allowed to take breaks? I am sorry to complain.*

AOD - *Yup it's real. 2 min each but will be a very long mtg*

AOD - *I think take breaks as you need them.*

AOD - *Best sc meeting ever I am trying not to cry*

LR - *Me too!*

LR - *Why can't we get interpretation/translation right? Why does language access have to be so hard?*

AOD - *When I was on the meeting that explained the proposed policy people got to choose to go into a room to get the whole meeting translated - at least that is how I understood it*

LR - *Should I ask Dr. C what the heck?*

AOD - *Sure you can text her.*

[time?]

Lorna Rivera (LR) and Brenda Cassellius (BC)

(Text messages presented in italics)

LR - Hi why is interpretation a continuing problem for some of our communities? I hope we can improve.

BC - We had Cantonese and I just asked Monica. This is the purview out the Committee. I suggested to Monica that if we have over a certain number of participants that we automatically default to all 10 languages but I think to provide it for SC it requires them to request it. Maybe bring it up to Mike.

BC - I can change for my team though!

LR - I will. I know there is so much going on. I really do appreciate your hardwork!

BC - [screenshot of Gchat from staff member that reads, "I believe SC only requests interpreters for public comment based on who signs up for public comment. It would be good to revisit that decision."]

LR - Thanks!

[time?]

Lorna Rivera (LR) and Alexandra Oliver-Davila (AOD)

[time?]

AOD - I still stand by my statement.

LR - I said BPS students should get preference and stand by this.

AOD - Oh then it was both of us!

AOD - What did I just miss? Was that ML saying Shannana and booboo??? My ADD is killing me here!

LR - I think he was making fun of the Chinese names! Hot mic!!!

AOD - That's what I thought. Omfg he's gonna get killed someone is going to go back and capture that

LR - I almost laughed out loud. Getting giddy here!

Someone already captured Brenda on cell in twitter (!)?

AOD - I've been getting some funny tweets tonight it's hard not to smile or laugh.

Yikes.

LR -Dios mia!!

AOD - No comment

LR - People tweeting about loconto hot mic!!

Anissa said WTF!

AOD- Oh no! It's gonna be ugly

(Text messages presented in italics)

LR - Someone texted me Loconto should resign, but I don't have them in my contacts

AOD - Oh boy How/where do I look on Twitter - sorry I'm old I'm not good at twitter

LR - Send me your handle and I will forward some

Or look up Anissa tweets

AOD - Alexoliver 33

Do we acknowledge the apology? What do we do??

LR - Did you see some of the tweets? I feel bad for loconto. Is he going to resign??

AOD - I feel bad too because he really was the person who pushed this forward with the Mayor

Idk if he will do it or not

AOD - I am not going to interrupt (?) him! Let him have his time. He needs it.

LR - Trying to redeem himself - [winking emoji]

Good night!

AOD - Good night.

LR - Good morning, actually!

Wednesday, October 21, 2020

10:34 p.m.

Lorna Rivera (LR) and Michael Loconto (ML)

LR - Hi can you tell me how many more people left to testify? I couldn't find the spreadsheet in google

ML - 77 to go, many falling off

[time?]

LR - Hi can you tell me if angie camacho is on the list and what number?

ML - yes she is #168, we are on 145

LR - Thanks.

[time?]

Michael Loconto (ML) and Alexandra Oliver-Davila (AOD)

ML- Do I need to worry about my non-sequitur earlier? I feel awful, I've been getting texts about it from Michael and Brenda.

(Text messages presented in italics)

AOD - *I heard [end] and not whole thing. I think Anissa commented on it. I think be prepared just in case I'm sorry this all stinks!*

ML - Ugh

Jeez

On twitter?

AOD - *I know.*

I'm sorry.

Yes.

ML - *Oh God no*

I don't know what to do

AOD - *I think just again apologize. What does MO suggest?*

ML - *Asking*

AOD - *I think that was good*

ML - *Jesus I am mortified*

AOD - *I know I'm very sorry*

Do you want me to acknowledge your apology and say thanks or just leave it alone?

ML - *I don't know*

Wednesday, October 21, 2020

6:00 p.m.

"Marty" [Boston Mayor Marty Walsh] (MW) and Jeri Robinson (JR)

MW - *Good luck*

JR - *Glad we're remote. Lots of passion. Wish there was as much passion and concern for the rest of our 52,000 students and 122 schools and not just the select three.*

Marty - *I agree with you.*

[time?]

Jeri Robinson (JR) and Alexandra Oliver-Davila (AOD)

JR - *Yes*

6:27 p.m.

(Text messages presented in italics)

AOD – *What a great (unclear) totally trying not to cry, best meeting ever.*

JR – *So true. So proud of the Mayor*

AOD – *Me too, but we need to push because he said it was one year in his comments – we should call him and thank him so he knows where we stand.*

JR – *True. I did text and thank him at the conclusion of his remarks.*

AOD – *That's great.*

6:53 p.m.

Sonia Barney Gomez (SBG), Josette Williams (JR) and Jeri Robinson (JR)

SBG – *Jeri how excited I'm for you. This is like doing the impossible. Waiting for the vote.*

JR – *Yes. Amazing what can happen during a pandemic. There are over 800 folks watching. Wish there was as much concern about all of our kids and schools.*

SBG – *Yes. Baby steps. I believe this is historic. I'm hoping community partners come in to support students to make sure our students succeed*

JW – *I'm holding on. Either way, folks are really showing their true colors!!! This city is never ready for real change but time has come.*

SBG – *I just told Monica we need to start scheduling our community meetings to make sure we have parent voices to [unclear] the changes permanent for next year.*

10:05 p.m.

Jeri Robinson (JR) and Michael Loconto (ML)

JR – *what number are we up to?*

ML – *84. People starting to drop off now.*

11:00 p.m.

"SA" and Jeri Robinson (JR)

SA – *How are you holding out Jeri. Looking pretty tired...*

JR – *I am. We still have about 70 speakers.*

SA – *that's 2 plus hours by my reckoning.*

JR – *Tulane [sic?] without our vote, so about 2 am.*

JR – *Some folks are dropping off, let's hope more do.*

(Text messages presented in italics)

Wednesday, October 21, 2020

[time?]

Alexandra Oliver-Davila (AOD) and Brenda Cassellius (BC)

AOD - *Best meeting ever. Trying not to cry. What a great letter.*

BC - *Yup. I asked him to write it and I asked Tanisha to read it. Powerful.*

AOD - *Great idea!*

6:28 p.m.

BC - *Speak it.*

AOD - *Amen!*

Wednesday, October 21, 2020

5:27 p.m.

Michael O'Neill (MON) and Michael Loconto (ML)

MON - *You should mention Khymani was on the national student panel last week.*

ML - *[thumbs up emoji]*

MON - *He was excellent and made us BPS Proud.*

ML - *[thumbs up emoji]*

[time?]

MON - *What the heck was your last comment/your mic was on. Hope you were talking to your daughter about a bedtime book. Sha boo. Boo boo boo?*

ML - *Geez I'm sorry I was talking to my wife about a kid's book*

MON - *Thought so, but it came out real weird!*

ML - *Should I address?*

MON - *You did it right.*

ML - *I'm mortified if someone took it another way, Brenda mentioned it too and said someone else texted her about it*

MON - *It was right after Liz read a bunch of names, could have been interpreted that you were commenting on the names. I knew you would never do that, assumed one of your daughters was saying good night. Glad you cleared it up right away. Don't worry about it any more.*

(Text messages presented in italics)

MON - *How far along are we?*

ML - *Ok thanks. I realized that after I got the text. I feel awful.*

ML - *We are on 159. 20 to go.*

MON - *You corrected very quickly. Regular watchers know your daughters always say goodnight to you.*

ML - *Anissa tweeting about it. I don't know what to do*

ML - *Am I ok? I hope I put that to bed.*

MON - *Please put me last, before VC and you, but after the other members.*

ML - *Of course, assumed as much.*

MON - *Let's vote!*

6 43 p.m.

Michael O'Neill (MON) and Khymani James (KJ) (student member)

KJ - *Are you comfortable on the logistics behind transferring elementary school grades to letter grades? I'm confused on that part and don't want to ask publicly if I can get a behind the scenes answer.*

MON - *I suggested last week and will suggest again tonight they bring in a 3rd party to oversee/work with BPS on the process. They do have a method to convert BPS grades to a 12 point system, based on the specific 1-4 grades in certain subjects. They have had to do it for years as GPA is already 50% of the criteria. But I would prefer independent oversight to build trust.*

KJ - *Ahhh I see*

Thursday, October 22, 2020

12 29 a.m.

MON - *Well done. Very well done.*

KJ - *Thank you, Mr. O'Neill.*

Wednesday, October 21, 2020

Michael O'Neill (MON) and Brenda Cassellius (BC)

11 31 p.m.

BC - *Yikes.*

Thursday, October 22, 2020

1 47 a.m.

(Text messages presented in italics)

BC - Remember I talked about that in my interview.

MON - (thumbs up sign)

BC - Thank you.

MON - (thumbs up sign)

MON - Congrats.

Wednesday, October 21, 2020

6:19 p.m.

Khymani James (KJ) and Alexandra Oliver-Davila (AOD)

AOD - Great points. Thank you for message to fellow students. Sooo important!

KJ - Thank you, Ms. Oliver-Davila!!!

AOD - You are welcome! Keep asking your great questions!

KJ - Quick question. Is what is being voted on tonight called a "proposal" or a "policy"

AOD - proposed policy

KJ - Thank you!

AOD - Sure!

11:19 p.m.

KJ - Wow -I had to turn my camera off because of my facials.

AOD - That's a great strategy!

AOD - You are a trooper staying late!

KJ - Thanks Vice Chair. Trying my best to pull through!

AOD - Also you can leave! Everyone will understand because you have school tomorrow - past BSAC members have left around 9 pm

KJ - Yes, I am aware! Thank you - I told myself at the beginning of the year that I would attend all hours of the meeting since they're so important and only every other week.

AOD - You are a trooper! Hope your teachers give you a break on Thursday mornings

KJ - Me too! [smiling emoji]